THE JOURNAL OF AMERICAN CITIZENSHIP

POLICY REVIEW

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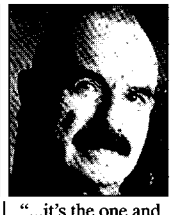

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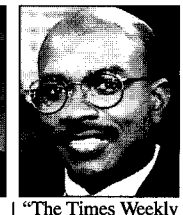

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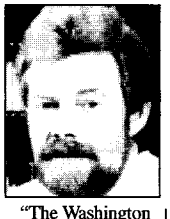

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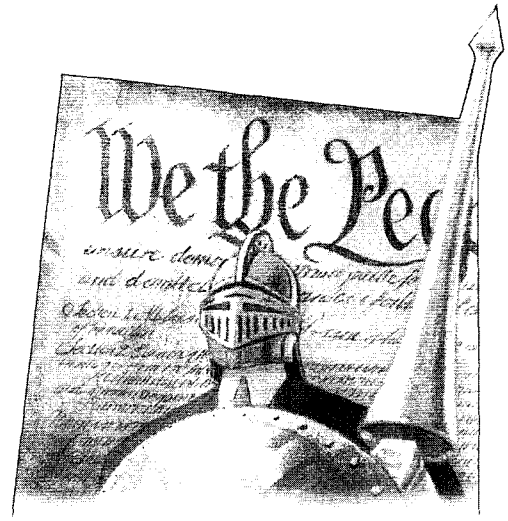

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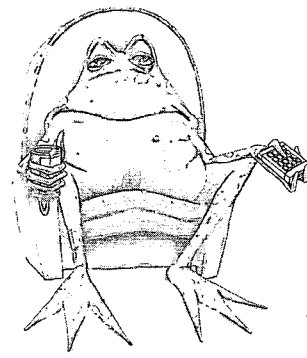

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The Heritage Foundation

Statement of Purpose

Our mission is to revive the spirit of American citizenship by recovering the core political principles of our Founding Fathers and by articulating and advancing the conservative vision of civil society.

Policy Review: The Journal of American Citizenship illuminates the families, communities, voluntary associations, churches and other religious organizations, business enterprises, public and private schools, and local governments that are solving problems more effectively than large, centralized, bureaucratic government. Our goal is to stimulate the citizenship movement—chronicling its success stories, exposing its obstacles and opportunities, and debating the policies that will best invigorate civil society.

American citizenship combines freedom with responsibility. These are the two great themes of modern conservatism, and they build on the best of the American tradition. Americans come from all races, all nationalities, all religions. Americans are united in citizenship not by common ancestry but by a common commitment to the political principles of the United States: the Constitution, the rule of law, the rights to life, liberty, and the pursuit of happiness.

Americans are united, too, by the common duties of citizenship: the obligation to protect our country from foreign enemies, to take care of our own families, to participate actively in civic life, to help our neighbors and communities when they are needy, and, in turn, not to take advantage of others' generosity when we can take care of ourselves.

Policy Review: The Journal of American Citizenship is published by The Heritage Foundation, a research and educational institute that formulates and promotes conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.

"Without local institutions, a nation
may give itself a free government,
but it does not have the spirit of liberty."
—Alexis de Tocqueville, *Democracy in America*

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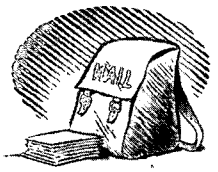

Correspondence

Michigan's Partnership

Dear Sir:

In her article "Cross Purposes" (Fall 1995), Amy Sherman notes that Michigan's partnership with the Salvation Army has been a tremendous success. In existence since 1991, the partnership has saved Michigan taxpayers millions of dollars, eroded the entitlement mentality, and provided homeless people with emergency relief.

But this partnership comes at a cost, Sherman argues, for in receiving money from the state, the Army allegedly minimizes its spiritual mission.

That's news to the Army's leadership. In Michigan, the Army continues to minister not only to the poor's material needs but to their spiritual and moral needs as well. Sherman's assertion would also surprise those needy individuals who have been quoted in the local papers for their complaints regarding the rules they must obey in order to receive "a cot and a hot."

Our state's aim is to cooperate with, not co-opt, America's outstanding volunteer charities. In no way does our pathbreaking partnership with the Army ignore or impede its moral and spiritual mission. On the contrary, the partnership has brought more people into the orbit of the Army's ministry, enabling it to fulfill its purpose better than if there were no partnership at all.

I agree that churches do what the state cannot and should not do. I hope Sherman agrees that we ought not let the best be the enemy of the good. Saving taxpayer dollars, saving broken people's lives, and working in partnership with the Army's ministry surely constitute the good.

John Engler
Governor
Lansing, Mich.

Ronald McGreener

Dear Sir:

In "How Green Was My Balance Sheet?" (Fall 1995), John Hood was wrong in his description of McDonald's decision to abandon plastic "clamshell" hamburger boxes.

McDonald's did not switch from polystyrene to thick, bleached paperboard, but to wraps that use one-third as much paper. The *Science* study cited in the article is not relevant, as it compared polystyrene and paperboard *cups*. The company's switch to wraps, in fact, has yielded substantial energy savings, solid-waste reduction, and reduced air and water pollution.

As for the contention that the fast-food chain's move "nipped a promising business venture [polystyrene recycling] in the bud," the sorry state of foam recycling cannot be blamed on McDonald's. Food-contaminated polystyrene requires expensive processing to produce a product with few markets. According to the plastic industry's own figures, the fraction of polystyrene packaging that is recycled today stands at 1.5 percent, virtually unchanged since 1991.

McDonald's has implemented 42 steps as part of its Waste Reduction Action Plan, developed in partnership with the Environmental Defense Fund. The reduction in waste and the boost for recycling has been dramatic. The company continues to reduce its use of packaging, increase its recycled content, and recycle or compost more of it—all the while holding down or even reducing costs. Now that's a profitable benefit from environmentalism!

Fred Krupp
Executive Director
Environmental Defense Fund
New York, N.Y.

Adoption Woes

Dear Sir:

Isn't it about time we begin to set the adoption story straight? Conna Craig, in her article "What I Need Is a Mom" (Summer 1995) makes the truth clear—there are enough parents in the United States to adopt our unwanted, abused children.

In our rush to do good, our nation has created a system that keeps needy children in the hands of the government and out of the arms of loving parents. Our state agencies have no incentive to recruit adoptive parents, and many potential parents are not considered because of their race.

As a social worker, I have seen the tragic consequences of adoptable children languishing in "the system." One child was ousted from his foster home when he turned 12 because his foster mother desired to work only with young children. Was any consideration given to the fact that he had lived with this woman since infancy and called her mom? Were any truly heroic efforts made to find him a "real family"? Sadly, no. We social workers are not trained to buck the bureaucratic state system. Emotionally charged workdays and heavy caseloads lead even the most caring helpers to settle for maintaining their clients' status quo. Our children deserve better. Our children deserve a mom and a dad and the security of having a last name.

While state agencies may be giving up on adoption, families clearly have not. Craig notes that more than 7,000 parents went abroad to adopt children in 1993. This clearly dispels the myth that the majority of adoptive parents in the United States are looking for healthy Caucasian infants. If this were the case, we would see a lower incidence of transnational adoptions, which are almost entirely transracial and typically offer precious little medical history.

The 1972 position paper of the National Association of Black Social Workers (NABSW) states that "Black children belong physically, psychologically, and culturally in Black families in order that they receive the total sense of themselves." It's time to admit that *any child* fares better with a mom and a dad—red, white, blue, or green—rather than no parent at all.

Deanna L. Carlson
Family Research Council
Washington, D.C.

Soft on Takings

Dear Sir:

To John McGinnis's excellent exposition of Justice David Souter's jurisprudence ("Original Thomas, Conventional Souter," Fall 1995), one should add Souter's utter failure to protect private-property rights. Souter has refused to participate in the resuscitation of the Takings Clause. In *Lucas v. South Carolina Coastal Council*, which held that a regulation that denies a property owner all economically viable use of his property amounts to a taking, Souter declined to join the majority. Instead, he issued a "separate statement," arguing that the case was not "ripe" for adjudication

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(even though the state courts had expressly found that the regulation at issue left the property valueless) and that there would be "little utility in attempting to deal with this case on the merits." On behalf of property owners everywhere, I can assure Justice Souter that the Court's decision has had plenty of utility for them.

Similarly, Justice Souter dissented in *Dolan v. City of Tigard*, the Court's most recent vindication of private-property rights. In *Dolan*, the Court determined that a land-use regulation must be "roughly proportional" to the effect it has. Prior to addressing the substantive issues of the case, Souter first reprised his *Lucas* concerns, going so far as to cite his own prior opinion for the proposition that "the right case for the enunciation of takings doctrine seems hard to spot."

On the merits, Justice Souter apparently is of the view that takings doctrine ought not include any particular solicitude for private-property rights. Hence his refusal to join with the majority in declaring that there is "no reason why the Takings Clause of the Fifth Amendment, as much a part of the Bill of Rights as the First Amendment or Fourth Amendment, should be relegated to the status of a poor relation."

Paul Campos
Danville, Calif.

Clinton's Crack Babies?

Dear Sir:

Behavior by pregnant women that can compromise the health of the yet-to-be born raises clinically difficult, conceptually complex, and emotional issues for health-care providers and policymakers. Cocaine use is one such behavior, as is smoking, consuming alcohol, eating poorly, and neglecting to seek prenatal care. There are honest disagreements about how to deal with such behavior, both in a clinical setting and as a matter of policy.

In his article "Clinton's Cocaine Babies" (*Spring* 1995), Charles Condon, the attorney general of South Carolina, defends the policy that he helped design at the Medical University of South Carolina and faults the Clinton administration for its failure. Under that policy, women who tested positive for crack use faced arrest if they did not accept drug counseling or if they tested positive for crack cocaine a second time during their pregnancy. We would like to point out a number of misconceptions and inaccuracies that appeared in his essay.

First, Condon claims that "the program worked" and that "scores of women agreed to enter rehabilitation and stayed off drugs." But both the Office of Protection from Research Risks (OPRR) and a retrospective study done by researchers at the Medical University have concluded that there was no way to gauge the effectiveness of the policy, in large part because the policy had no serious research protocols connected with it. Researchers at the Medical University concluded that it was not possible to control for a wide variety of variables that might influence the rate of positive drug tests (including the availability of new, nonpunitive obstetrical care in the region and changes in the Medicaid program designed to facilitate entry of low-income women into private OB practices). Moreover, the procedures for administering drug screening changed during the life of the policy, making any conclusion speculative.

Second, the courts do not agree with Condon that criminal laws protecting children extend to fetuses. Some lower courts have approved actions taken against pregnant women who use drugs, but higher courts have consistently overturned these rulings. For example, the supreme courts of Ohio and Florida both rejected the view that child abuse and child endangerment statutes apply to the unborn (*State v. Grey*; *Florida v. Johnson*), and a South Carolina trial court specifically rejected the idea that South Carolina child-protection laws apply to fetuses, a ruling that the South Carolina state supreme court declined to review (*Tolliver v. South Carolina*).

Third, Condon insists that the program was not punitive because it "was not designed to put people in jail." Giving women the choice to "seek treatment or face arrest and jail time" suggests a punitive program—one that relies less on a "carrot" and more on a "real and very firm stick." It is clearly punitive to shackle women as they enter and leave the hospital for delivery, to handcuff them to their beds, and to separate them immediately from their newborns in order to return them to prison cells, as was done under the policy. Of course, the aim of the program was to deter women from using drugs, but that hardly makes the program nonpunitive.

Fourth, and most regrettably, Condon politicizes a serious public health problem. There is no evidence that President Clinton had anything to do with the difficulties encountered by the Medical University; these are hardly "Clinton's Cocaine Babies," as the essay suggests. Almost all the rulings predate Clinton's term in office, as do the guidelines applied by the Civil Rights Division of Health and Human Services and the OPRR. Ethical and legal norms, such as confidentiality and informed consent, which protect patients and human research subjects, are well established in health-care delivery, and some of them date back to the Nuremberg trials of 1945.

Our society needs to improve the health care we provide pregnant women and the yet-to-be born. There is room for discussion about how to develop good programs for substance-abusing pregnant women, a seemingly intractable public health problem. There is even room for debate over whether coercion might be justifiable. But portraying difficult social problems in simple ideological terms does little to advance that discussion.

Philip H. Jos
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Welcome to *Policy Review: The Journal of American Citizenship*

by Adam Meyerson

Adam Meyerson is the vice president for educational affairs at The Heritage Foundation. He has been the editor of Policy Review *for the past 12 years.*

Policy Review, the magazine of The Heritage Foundation, has a contemporary new look, a partial name change, and a historic new mission: to restore the tradition of American citizenship by repairing the institutions of civil society and returning to the core political principles of our Founding Fathers.

Our new name is *Policy Review: The Journal of American Citizenship*. We'll be publishing six rather than four times a year. We will focus on the institutions of civil society—families, communities, voluntary associations, churches and other religious organizations, business enterprises, public and private schools, local governments—that are solving problems more effectively than large, centralized, bureaucratic government.

We think of our mission as "Applied Tocqueville," in honor of Alexis de Tocqueville, the French aristocrat who in 1832 wrote *Democracy in America*, still the best book about our country ever published. Tocqueville described an America that was the most democratic, most egalitarian, most religious, most prosperous, most charitable country on earth—with limited national government and active citizen involvement in local government. It was an America of strong families and entrepreneurial business leadership, an America where voluntary associations of citizens were better than politicians in addressing the problems of their communities. *Policy Review: The Journal of American Citizenship* will study the success stories of institutions and civic leaders today who are carrying on this tradition.

We believe that the restoration of civil society is one of the most important challenges and opportunities facing conservatism over the next generation. Sixty years of liberalism have left America's social fabric in tatters. The family, the building block of a compassionate society, is collapsing. Crime is robbing America's poor of hope and killing opportunity in vast sections of our cities. Public education is preparing children neither for citizenship in a free society nor for competition in a 21st-century economy.

Big Government is not the solution to these catastrophes. But merely dismantling Big Government is not the answer, either. Conservatives must rebuild families, voluntary associations, local governments, and other institutions of civil society that will remedy the ills left untreated by failed liberal programs.

The return of political powers and responsibilities from Washington to smaller units of government will not automatically bring this about. Liberal ideas, interest groups, and bureaucratic structures are even more entrenched in statehouses and city halls than in the federal government. Nonprofit charities have been corrupted by a heavy dependence on government money. Many leading charities share the entitlement mentality of the welfare state and, as the United Way and New Era scandals suggest, are often less accountable than government.

Entirely new institutions will have to be created. Conservative public policies can erase the welfare state's incentives for family collapse, but they cannot put the family back together. Government cannot build and sustain healthy marriages, nor teach children to be hardworking, responsible, and virtuous. The family will be restored not by public policy but by private, character-building institutions that touch the souls of men and women and inspire them to be more responsible husbands, wives, and parents.

Lock-them-up policies in criminal justice are likewise necessary but insufficient to address the catastrophe of crime. The root cause of crime is spiritual, a hardening of the heart that makes a man or woman indifferent to the rights of others. The most effective institutions in criminal justice will therefore be those that create moral communities and transform individual attitudes and behaviors.

The second half of the 19th century and the early 20th century saw the creation of the Red Cross, the Boy Scouts, YMCAs and YWCAs, and countless other voluntary organizations that strengthened character and addressed the failings of their communities. America is about to enter another such age, with conservatives at the lead. *Policy Review: The Journal of American Citizenship* will be at the forefront of this movement, chronicling its success stories and describing its challenges and opportunities.

An Invitation to Liberals

We hope many liberals and centrists will join us in this adventure. Liberals who have learned from their mistakes of recent decades have a great deal of practical wisdom to offer conservatives who are trying to replace the welfare state. And conservatives will be most effective in the coming era of institution-building if we can harness the energy, idealism, imagination, and intelligence of liberals in our cause. *Policy Review: The Journal of American Citizenship* hopes to be a bridge between conservatives and liberals who are trying to renew the American experiment in self-government.

At the same time, we will make clear the differences between the conservative and liberal conceptions of civil society. Unlike liberals, who are mostly uncomfortable with religion, conservatives follow Tocqueville in seeing religious fervor as one of the most powerful forces for strengthening and sustaining civil society. We expect that many of the great institutions that will emerge over the next generation will be founded by churches, synagogues, mosques, and ecumenical associations of people of faith. *Policy Review: The*

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Journal of American Citizenship will feature a department, "One Nation Under God," that will describe how religious institutions are repairing America's social fabric.

We also see business as an essential ally of the citizenship movement. Liberals see nonprofit associations as morally superior to profitmaking businesses. Conservatives, by contrast, hold that the marketplace offers accountability and incentives for performance that are frequently missing from the nonprofit world. The most creative answers to social problems often come from businesses that can profit by solving them. A new column, "Blessings of Liberty," will show the contributions of economic freedom and marketplace competition to the regeneration of civil society.

Liberals who claim they want to promote civil society frequently use government regulation and judicial decisions to achieve the opposite. The Declaration of Independence accused King George III of a "long train of abuses and usurpations" that denied Americans their fundamental liberties. *Policy Review: The Journal of American Citizenship* will include a department, "Abuses and Usurpations," that will detail how federal and state executive branches, legislatures, and courts are interfering with civil society by denying its institutions the freedom to make basic decisions.

One of our most important departments, "Home Front," will provide news and information about organizations that are working to rebuild the family. While many liberals are belatedly recognizing the importance of strong families, liberal organizations such as the Children's Defense Fund still concentrate on securing government funds for single mothers and the social workers who serve them. Conservatives hold that children need loving families more than they need government money, and "Home Front" will profile the organizations that are doing the most to promote responsible parenthood.

Many other conservative organizations have dedicated themselves to advancing civil society. The Capital Research Center, the Manhattan Institute and its magazine *City Journal*, the Acton Institute, the Philanthropy Roundtable, the Hudson Institute, the Reason Foundation, *World* magazine, the Institute for Contemporary Studies, the New Citizenship Project, *American Enterprise* magazine, the Civil Society Project, Focus on the Family, the Progress and Freedom Foundation, the National Center for Neighborhood Enterprise, and the Cato Institute are just a few of the organizations doing outstanding work in this area. *Policy Review: The Journal of American Citizenship* will report on their work, publish articles by their researchers, announce their upcoming conferences. Our goal is to build the American Citizenship movement into one of the most significant political and cultural movements of the next generation.

Freedom with Responsibility

Why have we chosen the phrase "American citizenship" for this movement? Because these words combine freedom with responsibility. These are the two great themes of modern conservatism, and they build on the best of the American tradition. Freedom without responsibility cannot endure; responsibility without freedom cannot create. The great American experiment in self-government has survived for more than two centuries and created more opportunity for more people than any other political system because for most of our history we have emphasized both the rights and the responsibilities of citizenship.

The restoration of American citizenship is the most important unifying principle of conservatism in the post-Cold War era.

As many observers now argue, this great experiment is at risk, and the restoration of American citizenship is now the most essential requirement for the renewal of American culture. Moreover, it is the most important unifying principle of conservatism in the post-Cold-War era. The principle appeals to libertarians with their emphasis on a free society of voluntary, nongovernmental institutions. It appeals to religious conservatives with their emphasis on faith and family and responsibility for the needy. It appeals to growth-and-opportunity conservatives who emphasize generosity and economic freedom. With its attention to the common obligations of citizenship, it appeals to nationalists who want to restore American patriotism and a strong sense of American cultural identity. And the restoration of American citizenship is an attractive principle for bringing liberals and centrists into the conservative fold.

The restoration of American citizenship will also bring our divided country together. Americans come from all races, all nationalities, all religions. We are united in citizenship not by common ancestry but by a common commitment to the political principles of the United States: the Constitution, the rule of law, the rights to life, liberty, and the pursuit of happiness. We are united, too, by the common duties of citizenship: These have included the obligation to protect our country from foreign enemies, to take care of our own families, to participate actively in civic life, to assist our neighbors and communities when they are needy, and, in turn, not to take advantage of our neighbors' generosity when we can take care of ourselves.

Please join us in the historic mission of *Policy Review. The Journal of American Citizenship.* To the long-time readers of *Policy Review,* and especially to you who have been with us since our beginning 18 years ago, we say: Thank you for your support and encouragement, your letters, and your comments on our articles. You are our most important constituency. We believe you will thoroughly enjoy the newly designed magazine, and hope you will stay. Our new mission is based on what you have said you like most about the old *Policy Review.* We are determined to live up to your standards.

To our new readers, we say: Welcome aboard. We need your ideas, we need your enthusiasm, and we need your moral energy. Join us in the American citizenship movement, as we offer the analysis and stories that will help revive the spirit of American citizenship and work to ensure that government of the people, by the people, and for the people shall not perish from this earth.

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Hundred-Gallon Heroes

by Adam Meyerson

Adam Meyerson is the editor of Policy Review: The Journal of American Citizenship.

Eight million Americans donate blood each year, with the typical donor giving a pint every seven months. But Mike Hitt, an electrician from Katy, Texas, visits the Gulf Coast Regional Blood Center two times a week to donate plasma and platelets (blood components that reduce internal bleeding among leukemia and other patients). Hitt first gave blood in 1969 while serving with the Army Artillery in Vietnam. Since then, he has donated more than 100 gallons of blood and blood components—67 times his total blood volume. Nearly a thousand patients have been aided by his gifts of life.

Hitt is one of 62 winners of the 1995 Jefferson Awards, given by the American Institute for Public Service. These prizes honor ordinary people who, through their volunteer work, are making extraordinary contributions to their communities. The annual awards ceremony, held in the chambers of the U.S. Supreme Court, is a reminder of the greatness of America—a country where liberty and generosity go hand in hand, and compassionate citizens are free to solve community problems in their own imaginative ways.

Mike Hitt, a Texas electrician, has donated more than 100 gallons of blood and blood components—67 times his blood volume. Nearly 1,000 patients have been aided by his gifts of life.

The 1995 Jefferson Award winners range in age from 14-year-old Gustavo Renteria of San Jose, California, who teaches English to newly arrived Latino immigrant children so they don't have to suffer in bilingual-education classes, to 106-year-old Billy Earley of Florence, Arizona, who has volunteered more than 128,000 hours (equal to 64 years of a 40-hour work week) since she started with the American Red Cross making bandages for wounded soldiers in World War I. Mrs. Earley doesn't plan to retire from her volunteer work for at least 10 more years.

Other 1995 winners include DWe Williams of Oklahoma City, a foster mother who has adopted five children with special needs, including one boy born without limbs; Mattie Hill Brown of Wilson, North Carolina, who feeds 200 hungry people every week in the soup kitchen she set up in the town's Masonic lodge; Ken and Twilla Eden, who dress up as clowns in Boise, Idaho, to entertain kids with cancer; 17-year-old Joshua Mele of Fayetteville, New York, who designed habitat for and stocked 4,400 trout in a nearby fishery. Charles Fortney of Tunnelton, West Virginia, who has served as a scout master (for 46 years), Rotary Club president, school-board president, and a trustee of his local United Methodist church, is a walking definition of the term "pillar of the community."

One of the awards this year is shared by two brothers, Leslie Colston and Bill Colston Jr. Both are paramedics certified in advanced training with the Riviera Volunteer Fire Department outside Corpus Christi, Texas. These brothers arrange their schedules so that at every hour of the day one of them is always on call and prepared to respond to a medical emergency. The Colstons are among the 1.5 million Americans who provide fire protection and ambulance service without pay.

The brainchild of Sam Beard, a developer of low-income communities and a former aide to Robert Kennedy who lives in Wilmington, Delaware, the Jefferson Awards is one of those rare ventures that draw support from across the political spectrum. Liberals on the board include Hollywood lobbyist Jack Valenti and Senate Minority Leader Thomas Daschle; conservatives include William E. Simon, the former treasury secretary, and R. Emmett Tyrrell Jr., the editor of the *American Spectator.* Liberals like to honor nonprofit helpers of the needy; conservatives like voluntary, nongovernmental ways to address community problems.

The awards also mix public service with business self-interest, an old American tradition. Nominations come from local newspapers and TV stations, which see marketing advantages in celebrating hometown heroes. WGAL-TV in Lancaster, Pennsylvania, sells corporate sponsorships for its nominations. The *Indianapolis Star* received 150 suggestions from its readers, and more than 200 Hoosiers, including Governor Evan Bayh and Mayor Stephen Goldsmith, attended the paper's lunch honoring its nominees.

Mike Hyland, the executive director of the Jefferson Awards, has been a TV reporter and a press secretary on Capitol Hill. "The media and Congress are cynical institutions obsessed with finding corruption," he says. "What a difference it is to work for an organization that looks for heroes."

"I don't deserve this award," said Mike Hitt, the blood donor *non pareil,* as he surveyed the other winners. Other Jefferson Awardees said the same as they learned about him. Thomas Jefferson would disagree. The awards are a fitting tribute to Jefferson's vision of a democracy sustained by independent citizens of energy and character. "I agree with you," wrote Jefferson to John Adams, "that there is a natural aristocracy among men. The grounds of this are virtue and talents."

For more information, contact the American Institute for Public Service, 621 Delaware St., #300, New Castle, Del. 19720. Phone: 302-323-9659. E-mail: info@aips.org. The Institute also has a World Wide Web site at: http://www.dca.net/aips/

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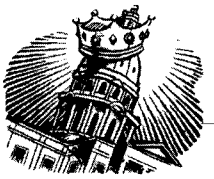

by John Walters

John Walters is the president of the New Citizenship Project.

Bus-jacking the Revolution

Long before "devolution" became a Washington buzzword, Indianapolis mayor Stephen Goldsmith turned to private companies to deliver municipal services in Indiana's capital city. He started with trash collection and moved on to waste-water treatment; in May 1994, Indiana's state legislature passed a bill allowing him to use state funds to improve the city's inefficient public-transportation system. The idea was simple: Add independently operated buses to the city's recently deregulated taxicab and jitney services to provide more efficient, cleaner, and cheaper transportation for the people of Indianapolis. But Goldsmith has been forced to confine his competitive program to state-funded transportation systems because of a roadblock thrown up by Congress. Bowing to the anticompetitive policies of the *ancien régime*, the "revolutionary" 104th Congress approved an amendment offered by Texas Democrat Ronald Coleman which severely limits efforts to re-limit government. That amendment reaffirmed section 13(c) of the 1964 Federal Transit Act, which stipulates that any public-transit worker "negatively impacted" by competition may receive six years of salary and benefits. By seconding this mandate, the GOP-controlled Congress institutionalized the government monopoly in American mass transit and hurt the poor urban residents that the federal subsidies were designed to help.

Section 13(c) ties federal mass-transit funds to a bundle of mandates aimed at protecting unionized city workers. The estimated cost of these transportation mandates to states and localities is two to three times the value of the subsidy. The federal government contributes less than 5 percent of all mass-transit operating funds—about $4 billion a year—but its mandates gobble up 10 to 15 percent of local mass-transit costs. Ron Utt of The Heritage Foundation calculates that section 13(c) regulations alone cost local transit authorities approximately $2 billion to $3 billion each year.

How did this happen? In the 19th century, the mass-transit industry was private, but it turned to government to protect it from competition. Regulation protected and hobbled private enterprise. Cities imposed price controls, mandated service routes, and gave in to demands by labor unions for strict work rules and wage formulas.

When private mass-transit companies began to fail in the 1940s and 1950s, they were taken over by cities. These municipalities remained wedded, however, to the inefficient management techniques that drove private transit firms to bankruptcy. Under pressure from public-employee unions, they sought an alternative source of revenue: the federal government.

In 1964, Lyndon Johnson signed the Urban Mass Transit Act, granting localities up to three-fourths of funds needed for local transit projects—provided that authorities do business only with transit unions approved by the U.S. Department of Labor. In a brazen attempt to fight union-busting, Johnson supported section 13(c) of the bill, which offered a federal guarantee of the right to collective bargaining.

As a result, labor unions could threaten the loss of federal mass-transit subsidies in negotiations with local officials. Unable to cut labor costs and improve efficiency, transit authorities were forced to scrimp on maintenance and hold off on new equipment. Ridership declined as commuters found car travel cleaner, safer, and less expensive.

The 1964 act is just one of many Great Society programs that placed local responsibilities under the purview of the federal government—with disastrous results. Since federal subsidies began 30 years ago, government at all levels has showered mass-transit projects with $200 billion in subsidies. But in that time transit ridership has dropped 15 percent and operating costs have increased 105 percent.

The salaries for municipal bus drivers are often three to four times those in the private sector. According to Wendell Cox and Jean Love, consultants at the American Legislative Exchange Council, competition could save mass transit 20 to 60 percent of its costs each year. With expanded routes and better service, ridership would rise by 50 percent. Most importantly, an estimated 100,000 new workers, including many poor minorities, would be added to the economy.

Transportation is a local priority best met by local officials and markets working together. When Indianapolis allowed competitive bidding for its "Open Door" service for the disabled, it enjoyed dramatic improvements in service and served more than twice the number of daily riders for the same amount of money.

By cutting counterproductive federal regulations, urban areas could spend their resources on more pressing concerns such as crime and stifling tax rates. Says Mayor Goldsmith, "Our fiercest competition for jobs and growth is not Chicago, Cleveland, or Atlanta, it is the 100 miles of rural, low-tax communities that surround us." Too bad Congress is ensuring this competition is one-sided.

Illustration by David Clark

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Charlotte, the Queen of Southern Banking

by John Hood

John Hood is the president of the John Locke Foundation, in Raleigh, North Carolina.

In the early 1980s, the Texas banking industry seemed like a sure winner. The oil industry was booming. The state's population was growing rapidly as workers came in search of Sun-Belt prosperity. Major Texas-based manufacturing and retail enterprises burgeoned. Not surprisingly, some of the fastest-growing U.S. banks were located in bustling Houston and Dallas.

But then the bottom fell out of gas prices—and the banking industry. By 1990, the state's largest banks no longer existed, resulting in billions of dollars in bad loans and leaving bank customers confused and angry. Suddenly, the dominant players in the state's banking industry were those that hailed from faraway places like North Carolina and Ohio.

It was not pleasant to be a bank customer in Texas back then. If you were a depositor in a bank that collapsed, you may have gotten all or part of your money back from the FDIC—but you lost other things, such as convenience and a sense of security. If you owned a small business and badly needed a loan to expand, the picture looked even bleaker. Failing banks aren't likely to lend you money or cut you slack when you need it most.

Other states have seen downturns in their dominant industries without suffering the double-whammy of bank failures. The difference is government regulation. Until recently, Texas imposed strict geographical and size restrictions on its banks. Statewide branching was prohibited. These regulatory barriers kept Texas banks tethered to particular cities or regions, protecting them from competition and giving them little incentive to embrace innovation and serve consumers better. Lacking the diversification necessary to weather the oil glut of the 1980s, the state's banks either went under, saw the value of their equity drop, or were bought by stronger banks from more competitive, less regulated markets.

One such market was Charlotte, North Carolina, home to NationsBank and First Union, two of the nation's 10 largest banks. At first glance, the idea that Charlotte would be one of America's leading financial centers seems absurd. With one-fifth the population of Houston, Charlotte has no obvious advantages in commercial influence or financial acumen. Yet Charlotte has become the banking capital of the Southeast. And NationsBank has become the largest bank in Texas.

Thanks to freedom for banks, Carolinians have enjoyed better financial services, lower interest rates, and more choices.

A major reason for the ascension of North Carolina banks to the upper tier of the industry is, once again, regulation. The state has some of the least restrictive bank regulations in the country. The state legislature authorized statewide branching in 1814; at the beginning of this century, the state began to charter banks and allowed them to sell insurance and other financial services. In the following decades, banks in the largest cities established branches across the state and began selling such products as annuities, commercial insurance, and securities.

By the 1980s, a bank customer in North Carolina enjoyed many benefits unavailable to his peers in Texas. He could transact business with the same bank virtually anywhere in the state, which accelerated routine tasks such as clearing checks, depositing funds, and seeking balance information. He could purchase more services at lower cost than in Texas, because statewide banks can spread fixed administrative expenses over more branches and customers and can hire more experienced bankers. He was much more likely to have access to national ATM networks and bank credit cards with low interest rates. Most importantly, he had security. With a diversified loan portfolio and depositor base, his bank was less dependent on the economic health of dominant local industries.

The benefits of competition in banking have become increasingly clear. In 1960, the year that NCNB (NationsBank's predecessor) was created from the merger of two small banks, North Carolina was one of 16 states with statewide branching. Over the next 20 years, there were only 17 bank failures in those states, compared with 45 failures in the states that allowed limited regional branching and 66 failures in the states that prohibited branching altogether.

During the 1980s, a combination of economic turmoil and bad policy decisions created even more banking risk. In the first four years of the decade, more than 500 savings-and-loans and almost 200 commercial banks failed. Then things got worse. In 1988 alone, 200 banks and 233 savings-and-loans closed or were liquidated. Most failures occurred in highly regulated states.

By 1990, most states had figured out what North Carolina already knew: Competition is better than protection. Only three states continued to prohibit branching, while 33 allowed it statewide. Furthermore, Texas and other states dropped their longtime aversion to interstate banking and allowed banks in nearby states to acquire failing institutions.

For banks in North Carolina (as well as in Ohio, New York, and California) that were bred in fiercely competitive statewide markets, even this

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limited form of interstate banking represented a golden opportunity. NCNB went into Florida in 1981, South Carolina, Virginia, and Maryland in 1986, and Texas in 1988. A subsequent merger with C&S/Sovran in Virginia created NationsBank, which continued to enter new markets in the Southeast, most recently consolidating its position in Georgia by acquiring Bank South.

Charlotte's other big bank, First Union, has also pursued numerous acquisitions in the new era of interstate banking. Most recently, it purchased First Fidelity Bancorp, making it the largest bank in New Jersey and sixth largest in the U.S.

The First Fidelity deal illustrates why competition and interstate banking have much to offer consumers. As with statewide branching, interstate banking makes it easier for customers to do routine things. Travelers to another state can often bank at their own institution, which is usually cheaper and easier. Checks clear faster and are accepted at more businesses. Firms with operations in various states can work with a familiar institution rather than learning new rules and developing new relationships every time they expand. And according to economist Steven Horwitz of St. Lawrence University, both business and residential borrowers find it easier to get credit. "Banks in states with more liberal branching laws use a greater proportion of their resources for loans than do banks in states that limit branching," he says.

For Garden State customers, the differences will be immediately noticeable, say banking analysts. "First Union, Nationsbank, and Wachovia [another major N.C. bank] offer customer service that is clearly superior" to the New Jersey norm, says Anthony Davis of Dean Witter Reynolds. Many New Jersey banks still close at 3 P.M., and few offer customers automated systems for checking balances or conducting transactions by telephone. With the arrival of First Union, New Jersey's mutual-fund investors can also enjoy one-stop shopping at their local bank.

Of course, bigger is not necessarily better. It is competition, not size per se, that has allowed banks in less regulated markets to serve their customers better. Although North Carolina has fewer separate banking institutions per capita than most states, its competitive climate allows plenty of mid-sized and small banks to continue to battle successfully with large banks for market share across the state.

"I think community banking will always have a future because a number of people want to be known by name," says Bill Graham, the former banking commissioner of North Carolina. By identifying niche markets and improving customer service, home-grown banks in such states as Texas and Florida have thrived even as out-of-state banks have moved in. Post Oak Bank in Houston, for example, specializes in private banking and trust services for middle- and upper-income professionals. "We felt the five big banks would be very dominant in the mass retail market," says chairman Kent Anderson, "but we felt opportunities existed to work the personal-services business."

Actually, the best way to keep community banking healthy may well be to push for even more deregulation. Sidney Bostian, former chairman and CEO of Investors Savings Bank, the second-largest thrift in Virginia, says that community banks are hurt most by costly state and federal regulatory burdens and by high taxes and fees, because larger competitors can spread such costs over a greater number of workers and customers. "While consolidation is a desirable outcome in our banking system," Bostian says, "policymakers should take care not to create artificial incentives for bank mergers."

In 1994, Congress extended interstate banking across the U.S. to speed the development of interstate branching, which means even more convenience for consumers. Paul Calem, senior economist at the Federal Reserve Bank of Philadelphia, argues that interstate branching would also "enhance competition in banking, benefiting consumers through more favorable interest rates and fees."

But some people never learn. Despite the benefits of banking freedom, Texas and a few other states may opt out of interstate branching, as the federal law allows. For the most part, though, bank customers everywhere are starting to enjoy the benefits of competition that states like North Carolina have long produced. And improbable Charlotte, not Dallas or Houston, is likely to remain the financial powerhouse of the South.

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Block (Grant) Party

by Tommy Thompson

Tommy Thompson, the chairman of the National Governors' Association, has been the governor of Wisconsin since 1987.

What will the states do differently once they have block grants? The short and simple answer: We will put our ideas to work. Once a block-grant system becomes operational, several key areas of public assistance will be set loose from the dead weight of federal oversight.

For the most part, the block-grant system frees states from the shackles of a waiver system that has inhibited innovation and stymied true reform. Prior to recent congressional action, if a state passed an innovative welfare reform initiative, it would have to go to Washington on bended knee and kiss somebody's ring in order to get a waiver to implement the program.

In Wisconsin, we know the waiver system all too well. We have sought and received 227 different waivers to implement our innovative welfare programs. And we know that you never get everything you ask for in a waiver request, either. If your waiver asks for 10 items, you are lucky if Washington grants you three.

In Wisconsin, the block-grant system means we will be able to implement the most ambitious change in the welfare system that this country has ever seen.

The changes we expect to enact are called W-2, or Wisconsin Works. This initiative would end the automatic welfare check. It would end AFDC. And once implemented, W-2 will mark the greatest change in social policy in this country in the past 50 years.

In Wisconsin, we will no longer have a welfare system; we will have a work system. In fact, we have already transferred our welfare division from our Department of Health and Human Services to our Department of Industry, Labor, and Human Relations, and have made it a work division. The reason: We are replacing the automatic welfare check with a comprehensive package of work options, job training, health-care and child-care services, and even financial planning.

And we know W-2 will succeed in moving people off welfare and into the workforce. Wisconsin has been reforming the welfare system longer than any other state by far, having begun when I took office in 1987. Since then, our AFDC caseload has dropped 30 percent, and we're saving our taxpayers $17 million a month.

Imagine what Wisconsin and other states could do with the freedom and flexibility provided by the block-grant system.

In a recent study, Princeton University professor Lawrence Mead concluded that Wisconsin cut its welfare dependency because it tied benefits to work. W-2 is based on the philosophy that for those who can work, only work should pay. We assume that everybody is able to work—or at least is able to contribute to society through some work activity within their abilities. The only way to escape welfare or to escape poverty is to work. There is no other way. Therefore, W-2 helps the traditional welfare recipient make the transition to employment and an independent life as quickly as possible. When people seek economic assistance (or what used to be known as AFDC) from the state, they will be required to sign up for work immediately. And it is only by performing some level of work that they will receive economic assistance.

Thanks to federal mandates, the complexity of Medicaid makes the tax code look like a nursery rhyme.

W-2 consists of a four-rung job ladder designed to help participants climb out of poverty and government dependence and into a life of independence and self-reliance. The top rung is unsubsidized employment. Under this option, participants who are job-ready will be matched up with the best available job. This is the ideal option—the rung on the ladder that all participants should aspire to reach. A W-2 participant directed into unsubsidized work is also eligible for, depending on his income, food stamps, health care, child care, and the earned-income tax credit.

The second rung on the ladder is subsidized employment, or trial jobs. This rung is for people without a work history but with a willing attitude. Employers who hire people on this rung get help in offsetting some of the costs of training and trying out a new employee. The wage subsidy is limited to between three and six months. A person in a trial job can remain on this rung of the ladder for no more than 24 months and is eligible for food stamps, child care, health care, and the earned-income tax credit.

Community-service jobs constitute the third rung and are meant for people who need to practice the work habits and skills necessary to be hired by a private business. These jobs will pay 75 percent of the minimum wage (more than the welfare grant) and may come with food stamps, child care, and health care. A person can remain in a community-service job for up to nine months before being required to move up the ladder, and there is a lifetime limit of 24 months for this rung.

The fourth option, and bottom rung of the ladder, is called W-2 Transitions. This rung is reserved for those who legitimately are unable to perform self-sustaining work, even in a community-service job. To receive cash benefits, participants will work in activities consistent with their abilities. Work at this level pays 70 percent of minimum wage, and the worker is eligible for food stamps, health care, and day care. Although this option has a 24-month participation limit, extensions are per-

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mitted on a case-by-case basis.

The goal of this program is to move those with little or no work histories up the work ladder, gaining more work experience, until they are in an unsubsidized job and caring for their families on their own. Participation is limited to five years over a person's lifetime.

The benchmark for W-2's fairness is a comparison with low-income families that work for a living. With this in mind, the program includes a system of copayments for health-care and child-care benefits. Just as low-income families must pay for child care and health care—either in full or in part—W-2 participants will be required to pay what they can afford for these services, on a sliding scale. W-2 also would make health care more accessible to low-income working families by allowing them to buy into the state health-care system.

Finally, Wisconsin Works is designed to address the problem of teen pregnancy. In the past, too many long-time welfare recipients started on welfare as teen parents. We have to break the cycle of dependency earlier. So under our plan, teen parents who are minors and who cannot live at home or with a legal guardian will not be allowed to set up their own household with cash assistance from the state. For those who cannot live at home, three options will be available: Live in a foster home, live in a group home, or, as a last resort for older teens, live in a supervised independent setting.

The Wisconsin Works welfare package has received bipartisan support in our legislature, which is expected to approve the program early next year; we plan to implement it in 1997. Without block grants, however, we would need a series of waivers and probably would be unable to adopt half of the program's initiatives.

Another area that holds tremendous promise for innovation under a block-grant system is Medicaid. No item affects state budgets more profoundly than Medicaid, so states will be looking for the most efficient and effective way to provide high-quality health care at a reasonable cost.

In Wisconsin, we started improving our Medicaid system some time ago, but again had to rely on a waiver system that scuttled some of our plans. Regardless, industry experts have recognized Wisconsin for running the country's most efficient Medicaid system.

We began our reform efforts using a managed-care system, which has allowed us to provide more Medicaid recipients with a higher quality of care at lower cost. Indeed, by enrolling AFDC recipients in health-maintenance organizations, the state became an active player in controlling costs. Instead of serving as a blank check, the state could step in and negotiate the highest quality care at the best price. Instead of serving as a health-care "payor," the state is now a health-care "buyer."

What is most exciting about the program is that HMOs are providing AFDC recipients with better health care. They have a primary doctor, someone they can go to on a regular basis. They also have greater access to important preventive care, such as well-baby visits and immunizations.

While Wisconsin is not alone in utilizing a managed-care system for Medicaid recipients, the block-grant system will make it easier for all states to shift to such a system.

As major buyers of managed care, states will be able to leverage their purchasing power to control costs as well as improve access and quality. With the financial flexibility of block grants, many states also will be able to extend this formidable purchasing power to offer low-cost coverage to uninsured working families. Though managed care, particularly for the elderly and disabled, requires careful planning and vigilant oversight, it will be an essential component of every new Medicaid program.

States throughout this country have been extraordinarily successful in enrolling nearly one-third of all Medicaid recipients in managed-care organizations. But progress has been frustrated by lengthy, time-consuming waivers for arcane federal rules designed to impede managed care. In effect, the current waiver process gives states a Hobson's choice: Either accept the costly and burdensome new strings often attached to federal waivers, or forgo altogether the use of managed care and other modern delivery systems now common in the private sector.

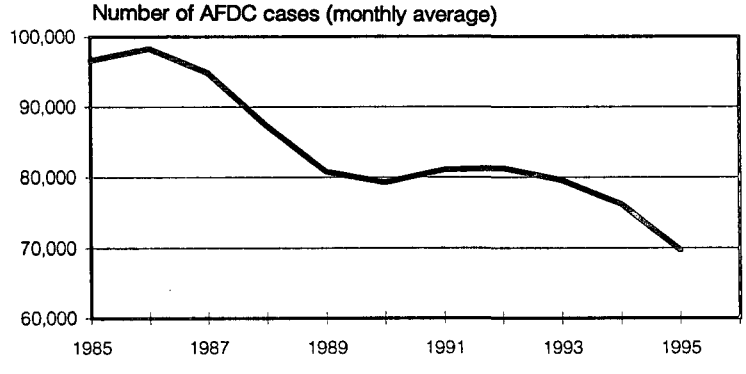
Besides managed care, the Medicaid block-grant system would allow states to pursue integrated solutions in providing health care, particularly long-term care for the elderly.

Comprehensive service networks are being created by the private sector from the inevitable integration of health-care suppliers, particularly health plans, hospitals, and clinics. While the federal government has been oblivious to these historic changes, employers and other buyers of health care are adapting to take full advantage. The block-grant system will allow state Medicaid programs to take advantage as well.

Under the old Medicaid system, states were forced to take a fragmented approach to health-care problems, most notably long-term care. An incomprehensible layer of federal restrictions forced states to create disparate programs in order to work

Wisconsin's Welfare Experiment

Thompson's reforms have cut Wisconsin's AFDC caseload by 30 percent since 1987. With block grants, he hopes to abolish AFDC altogether.



Note: Figures for 1995 through September only.
Source: Wisconsin Department of Health and Human Services.

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around federal obstacles. In the provision of long-term care, the result was a confusing, overly complex and costly mix of home, community, and institutional care.

The new Medigrant program, however, will permit states to integrate their long-term care programs and promote the purchase of private long-term care insurance. By combining the array of home, community, and institutional programs into more integrated solutions based on managed care, the elderly and disabled will have more options and taxpayers' costs will be better controlled. Integrated solutions also provide states with greater leverage to improve access to health care as well as the quality of care.

A third advantage to the block-grant system is that it would allow states to make Medicaid coverage more sensible. As an entitlement under federal law, the scope of Medicaid coverage is now determined by the courts and rule-making bureaucrats. Neither the medical community nor the taxpayers have any real say in the matter. This has led to such absurdities as the coverage of gourmet cookies, soap, and household appliances. This has long frustrated the states as they've struggled to manage their systems.

Freed from federal oversight, we'll likely see the end to Medicaid as the Cadillac of health plans and the eventual adoption of coverage more akin to that offered to workers in private industry. While coverage for the elderly and disabled will continue to include additional services, particularly long-term care, the end of the legal entitlement will permit states to take into account true medical needs and the cost-effectiveness of alternative services.

Finally, the Medicaid block-grant system will lead to streamlined administration, which will save taxpayer money. As a result of an avalanche of federal mandates, Medicaid has become the most complex social program ever devised. The Medicaid program is now governed by more than 50,000 pages of federal-state agreements, more than 2,000 pages of federal laws, and some 15,000 pages of federal rules and instructions. This extraordinary level of complexity makes the federal tax code look like a nursery rhyme.

Furthermore, states must collectively prepare more than 8,000 federally mandated reports each year. Most of these are never read, much less used, by a living soul. Because of the labyrinth of federal eligibility rules, there are more than 200 different ways to qualify for Medicaid in Wisconsin alone. Making matters worse, federal loopholes force states to cover middle-class individuals and facilitate the hiding of assets and income.

Under the 170-page Medigrant bill, state Medicaid plans could be vastly simplified, thousands of pages of inane federal rules would be rescinded and those 8,000 reports would be reduced to just 50—one for each state. States like Wisconsin will be able to streamline eligibility determinations, close loopholes and tie Medicaid coverage to participation in jobs programs like W-2. And accountability will be enforced where it truly matters—in the establishment of fiscal controls, independent audits and evaluations, and public reporting of program performance.

Medicaid will be an area where states will clearly be able to demonstrate a greater ability to manage an unwieldy program and provide services better than Washington. And it will serve as an example of what can be accomplished once Washington steps back and keeps its overregulating fingers out of the mix.

The block-grant system will provide states with a remarkable opportunity to enact their best ideas and brightest programs. The ultimate winner will be the taxpayer, who will receive a higher quality product at a lower cost. Already, with the limited amount of experimentation the federal government has allowed, states have shown that they can manage complex programs like welfare and Medicaid much better than the federal government. The very concept of federal block grants shows that Congress is recognizing the great work that is already being done by the states.

In Wisconsin, we can't wait to carry on that work and put our best ideas into practice.

Humble Clovis Defies The Education Visigoths

by Christopher Garcia

Christopher Garcia is the assistant editor of Policy Review: The Journal of American Citizenship.

In 507 A.D., at Vouillé in present-day France, the King of the Franks led a band of warriors against the Visigoths, the marauding barbarians who had sacked Rome a century earlier. The king, named Clovis, defeated the Visigoths and broke their hold on Europe.

Today, a modern namesake—the Clovis Unified School District (CUSD), in Fresno, California—is successfully defying another ominous empire: the education establishment. Despite serving a significant portion of Fresno's urban poor, Clovis is proving that public schools can deliver a good education with a small budget and minimal bureaucracy.

Clovis has long ignored the prevailing cant about the need for high spending and huge bureaucratic machinery to regulate public education. During the 1993-94 school year, CUSD spent $3,892 per pupil; school districts nationwide averaged $5,730. The district's student-to-administrator ratio is 520:1—nearly twice the national average. And although similarly sized districts (like those in Rochester, New York, and Madison, Wisconsin) typically house 300 to 400 employees in their central offices, CUSD employs just 167. With no teachers union or Parent Teachers Association (PTA), CUSD is a rarity among public schools.

In this case, less means more—more students performing above average across a broad range of measures. The district's average score on the Scholastic Aptitude Test (SAT) is 52 points higher than the state average and 42 points higher than the national average. CUSD's mean composite score on the American College Test (ACT) stands respectably at the 65th percentile. In 1995, with a senior cohort of

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1,606, CUSD students passed 720 Advanced Placement (AP) exams.

Perhaps one reason Clovis kids outperform their peers is that they show up for class more often: The district's high-school attendance rate is nearly 95 percent, and its drop-out rate is only 4 percent. The district doesn't skimp on its extracurricular offerings, either. More than 80 percent of Clovis students participate in one of the most successful programs in California. Last year, the district earned a championship at the National Future Farmers of America Convention and sent its state-champion Odyssey of the Mind team to compete in the world finals.

Many Clovis children are among the most disadvantaged in the region. Nearly 40 percent of the district's students live in Fresno City. Six of CUSD's elementary schools enroll enough AFDC children to qualify for direct financial assistance from the federal government. And five schools have student bodies with more than 50 percent minorities. In 1989, the median household income of the community surrounding Pinedale Elementary School was $10,000 below the national median of $28,906. And yet Mexican-Americans, who make up the district's largest minority (about 18 percent of all students), outperform their state and national counterparts on the ACT by significant margins.

Created in 1960 from the merger of seven rural, low-income school districts, CUSD presented its first superintendent, Floyd V. Buchanan, with a significant challenge: Barely more than one in three of the district's 1,843 students performed at grade level. Buchanan wanted to push this figure to 90 percent—but how?

Put simply: competition, control, and consequences. Buchanan reasoned that schools would not be spurred to meet the goals that he and the central administration set for them unless they competed against one another in academic and extracurricular achievement. He established goals for each of the system's 11 schools at the start of the year, ranked them according to their performance at year's end, and established a system of carrots and sticks (mostly carrots).

Most importantly, administrators and teachers were allowed to choose the teaching methods and curricula they felt suited their objectives. This formula, in place for decades, has allowed the district—now with 30 schools and 28,000 students—to place between 70 and 90 percent of its students at grade level.

Competition in the district exists at several levels. Earning a rating as a top school is its own reward, but the district recognizes high achievement in other ways. The top schools on the elementary, intermediate, and high-school levels are recognized at an annual, districtwide award ceremony. The district's best teachers and administrators are honored at a dinner. And the school's achievements are reported to parents and the community in the pages of the district's publications.

The friendly, competitive culture at Clovis clearly has helped drive achievement. Because a school's performance at a districtwide choral competition or drama fair influences its ratings, teachers, students, and administrators work hard to give their routines the extra edge needed to push ahead of their colleagues. Schools borrow the winning strategies used elsewhere. Students at Clovis West High School, for example, often score better on SATs and AP exams than those at Clovis High School, so Clovis High has borrowed test-preparation tips from Clovis West. Clovis High is also trying to improve discipline by looking at successful techniques employed at Buchanan High.

A public-school district outperforms its peers by reining in the bureaucracy, holding teachers accountable for results, and insisting on local control.

Competition, however, would produce little without local decision-making. Anticipating trends that would revolutionize America's Fortune 500 companies, Buchanan made flexible, decentralized, site-based management a fundamental feature of the school system in 1972. The district office has been responsible for setting goals and establishing guidelines, but schools have worked to meet these goals in their own ways. "They give us the what and we figure out the how," says Kevin Peterson, the principal of Tarpey Elementary School.

When officials at Pinedale Elementary School determined that parent participation there was lower than at other schools, for example, they realized that immigrant parents felt locked out by language barriers. So they created "family nights" to help these parents take part in their children's education. With their children present, the parents are taught games and devices they can use at home to help their children with their homework. The result: Immigrant parents now participate more.

Photo by Ron Webb

In Clovis, teachers volunteer to help parents learn English.

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Such innovation is easier in the absence of teacher unions. For example, the district deploys teachers weekly to the homes of about 100 recently arrived immigrants to provide them English-language instruction and to help them build a bridge to their rapidly assimilating children. Meredith Ekwall, a first-grade teacher at Weldon Elementary School, teaches English at night to the parents of her ESL students to encourage English use in the home. In districts where collective-bargaining agreements stipulate precisely how much time teachers spend teaching, micromanage the amount of time teachers can devote to activities outside of the classroom, and dictate what a district can and cannot ask its teachers to do, such flexibility and voluntarism is rare.

Along with teacher autonomy and greater parent access, Clovis strives for accountability. All the teachers, without exception, are expected to bring 90 percent of their students up to grade level. If they do not, everyone knows about it. The district's research and evaluation division notifies teachers, parents, and administrators of school and student performance. And with curriculum development and teacher hiring and firing in the schools' hands, knowledge is power. The approach has "made every teacher accountable," says Redbank Elementary School Principal Susan VanDoren. "[I]t made me sit down and look at all those kids [needing help] and ask, 'What can we do?'"

Parents seem more likely to ask that question in Clovis than in other school districts. Parents and other community members (including the clergy, senior citizens, and businessmen) sit on advisory boards, where they review individual school performance and formulate policy. Last year, some parents were upset that children were required to read feminist author Maya Angelou's *I Know Why the Caged Bird Sings*. Parents forged an agreement with the district that allows them to review books assigned to their children and help develop alternatives. Other boards recently voted to institute a voluntary uniform and a fee-based home-to-school transportation program. Teams of parents issue critiques of schools on the basis of data culled from parent surveys; these reviews are posted in every staff room in the district.

These boards function the way PTAs are meant to, but without the stifling hand of teacher-union influence. "The reason for the success of Clovis," says Superintendent Walter Buster, "is that these schools are truly governed by elected lay people."

Ultimately, it seems, success in CUSD is driven by community expectations. "There's a corporate culture that has been established that requires more of people, expects of people more, and gets of people more," says H.P. Spees, executive director of Fresno-Madeira Youth for Christ and member of CUSD's clergy advisory council.

This culture of expectation is impressed upon teachers even before they pick up a piece of chalk. A lengthy, multi-tiered interview process incorporates parents, teachers, community leaders, principals, and administrators and signals to prospective teachers that the Clovis community demands much of its teachers. According to Ginger Thomas, the principal of Temprance-Kutner Elementary School, some teacher candidates quit the interview process, saying "you guys work too hard." Assistant superintendent Jon Sharpe contends that Clovis sustains "a work ethic in the public sector that's almost unsurpassed." He may be right: In 1992, CUSD teachers even voted down their own pay raise to channel the money into books and supplies.

In an education system under assault for its academic failures, Clovis has produced a winning formula. CUSD schools have won recognition by the state of California 15 times and earned national blue ribbons from the U.S. Department of Education 13 times. The prestigious Phi Delta Kappa Center for Evaluation, Development, and Research has featured Clovis in two works, *Clovis California Schools: A Measure of Excellence* and *Total Quality Education*. Even outspoken critics of public education recognize the district's accomplishments. "If we are going to limit ourselves to the Prussian system of education, Clovis is the best we are going to get in a tax-financed school," says Marshall Fritz, the founder of the Fresno-based Separation of School and State Alliance and the father of four Clovis students.

Awards aside, the real lesson of Clovis is that good education depends not on bloated budgets but on creative and committed teachers and administrators held accountable by engaged communities. Clovis's success also suggests that quality in public education will not be the norm until resources are channeled to classrooms rather than bureaucrats, and parents wrest control over education from teachers unions.

Lab Reports

Michigan had no public-school teacher strikes this past September, compared with 11 in 1991 and three in 1994. Under legislation signed last March by Governor John Engler, school teachers are now fined a day's pay for each day they strike and school districts may no longer make up any losses by assigning strikers additional teaching days at the end of the school year.

Montana earned $13 million from timber harvests on state-owned forest land from 1988 to 1992. During the same period, while cutting down 12 times as many trees, the U.S. Forest Service lost $42 million in its Montana properties. Don Leal of the Political Economy Research Center (PERC) says Montana outperformed the Feds by engaging in better reforestation practices, spacing trees further apart so that each tree receives more water and nutrients, and by using less than one-third the staff to prepare timber sales.

Since **Cincinnati, Ohio,** deregulated taxi licenses in January 1995, the number of cabs has risen from 348 to 557, a 62 percent increase. Most of the new cab owners are minorities and women.

Jersey City, New Jersey, saves $20,000 a year by offering its management employees the choice of Medical Savings Accounts as an alternative to fee-for-service health insurance. MSAs allow employees to pocket the savings when they reduce their own health care expenditures; of the 174 employees eligible, 97 have chosen them since their introduction last March. Mayor Bret Schundler hopes to extend the MSA option to other city workers.

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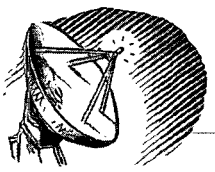

Lessons from Abroad

Japan's Parole Models

To bring America's crime explosion under control, new prisons and longer sentences will not be enough. Most criminals are eventually released, and most return to a life of crime. In addition to tougher law enforcement, we need to find ways to turn former criminals into law-abiding citizens. Perhaps here, Americans can learn from the success of volunteer probation and parole officers in Japan.

America's current system of probation and parole is a joke. On average, each of the nation's 35,000 probation and parole officers must supervise 100 convicts. With so many charges, the typical officer is lucky if he can find his parolees or probationers, let alone monitor their movements. "Most state probation and parole systems have a serious problem with case overload," says Steve Varnum, the executive director of Justice Fellowship at Prison Fellowship Ministries. "This leads to a high percentage of parole and probation violations, with many offenders returning to prison."

Japan, by contrast, has fewer than 1,000 full-time professional probation and parole officers. These officers are recruited and trained as professionals in counseling, but with an average of 100,000 new qualifying convicts each year, they are too few to counsel clients individually. Their real work is to assign cases to approximately 48,000 volunteer parole officers throughout the country.

Each volunteer on average supervises only two convicts, and his primary responsibility is to help them rejoin their families and neighborhoods as well as to monitor their movements. These volunteers-cum-social workers are clearly getting the job done: Fewer than 4 percent of Japanese criminals who have been assigned to a volunteer officer will commit another crime within a year of their release on parole or probation.

What is the Japanese secret in dealing so effectively with criminal offenders? Part of the answer is the selection process for parole and probation. To qualify for probation or parole in Japan, an offender must show remorse for his crime and meet certain criteria that prevent the release of serious or habitual criminals.

In Japan, acceptance by one's family is often the most important factor in an offender's rehabilitation, for the concept of shame is still alive and well in this society. A volunteer officer visits the offender's home to help his family overcome the shame of having a relative convicted of a crime. If family reunification is deemed impossible, the volunteer finds the offender a place at a halfway house or with friends.

The next step is to help the offender find stable employment, so he may again become a functional member of his community. This is also considered essential to rehabilitation, as the importance of societal acceptance is second only to that of acceptance by one's family. After a residence and a job have been secured, the volunteer officer continues to meet with his charge once or twice a month to provide counsel and to monitor his progress.

An appointment as a volunteer probation or parole officer requires no special training or background; candidates must simply be respected and financially stable. Volunteers come from a range of occupations, but more than half are fishermen or farmers, religious leaders, housewives, and retired people. Ninety percent of the volunteers are at least 50 years old and 80 percent are men.

Once appointed by the Ministry of Justice, a volunteer's term of service is two years, but most are reappointed several times. Almost half serve at least 10 years.

Japan formally authorized its system of suspended prosecution in 1924, and codified the network of volunteers upon which it depended in 1950. Research conducted by Japan's Ministry of Justice shows that the success of volunteer probation officers lies in the individual attention they are able to give each offender; they are often seen as friends or mentors rather than authority figures. Many convicts, moved by the fact that someone has taken an interest in their well-being, feel an obligation to work toward rehabilitation.

Could such a system work in the United States? America would need more than 1.75 million volunteers to achieve the same 2:1 ratio as Japan. Still, small caseload ratios are key to the successful supervision of offenders. "Most criminal activity is preceded by a progression of inappropriate behaviors," Varnum says. "If an agent spends time with an offender and sees the environment the offender lives in, it will be much easier for the agent to recognize the inappropriate behaviors that may lead to the offender's participation in further criminal activity. The Japanese parole model serves that purpose of real time supervision."

48,000 Japanese citizens volunteer as parole and probation officers, counseling ex-cons and assisting in their rehabilitation.

It's true that Japanese society, particularly the role of the family, is quite different. Sharing in the public control of behavior, of course, is not unique to Japan. Many U.S. cities have volunteer organizations whose members patrol their communities or teach conflict resolution and job skills. Churches and mosques have begun to welcome and find employment for former criminals. It's time to go further, and experiment with the Japanese volunteer model.

by Leslie Gardner

Leslie Gardner, a 1994 graduate of the University of California at San Diego, lives in Yokohama, Japan.

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Our Foundering Fathers

Are You a Sperm Dad?

by Elizabeth Schoenfeld

Elizabeth Schoenfeld is a contributing editor of Policy Review: The Journal of American Citizenship.

Perhaps the most important book written this decade on our greatest social crisis is *Fatherless America: Confronting Our Most Urgent Social Problem*, by New York intellectual David Blankenhorn. The president of the Institute of American Values, Blankenhorn dissects the insidious and prevalent bias against the value of fatherhood in both elite and popular culture. In this impassioned yet carefully reasoned and researched book, he argues that being a father is "society's most important role for men."

While mothers typically concentrate on meeting children's immediate physical and emotional needs, Blankenhorn writes, fathers tend to "focus on preparation for the future and on children's success in the larger society. Fathers are likely to devote special attention to character traits necessary for the future, especially qualities such as independence, self-reliance, and the willingness to test limits and take risks."

Moreover, Blankenhorn writes, a proper view of fatherhood is essential to the concept of masculinity. "Fatherhood cannot destroy or oppose masculinity, but fatherhood must domesticate masculinity. In a good society, men prove their manhood by being good fathers." But many journalists, academics, and purveyors of popular culture are writing a new "cultural script"—new definitions of what it means to be a man—that fails to serve the needs of children, families, or society. Here are some of the inadequate roles available to today's dads:

The Unnecessary Father. "He may be useful in some ways. He may be a nice guy, perhaps even a force for good. But he is nonessential, peripheral, 'not that important.' His presence may be appreciated, but it is not required."

The Visiting Father. This poor chump writes the checks and strives valiantly to stay in touch with his children after a divorce. Although often romanticized, as in the popular movie *Mrs. Doubtfire*, "the great majority of visiting fathers are not—indeed, cannot be—good-enough fathers to their children," Blankenhorn writes.

The Sperm Father. He accounts for nearly 30 percent of all fathers of young children. "His is the fatherhood of the one-night stand, the favor for a friend, the donation or sale of sperm. His child is the unintended consequence, the result of the affair that did not work out, the reason for the paternity suit, the baby he never learned about."

The Stepfather and the Nearby Guy. Rosy assumptions to the contrary, "children who live with stepfathers experience outcomes that are no better, and frequently worse, than children in mother-only homes." The Nearby Guy (a coach, a teacher, the mother's boyfriend) provides not fathering but often "ambiguity, complexity, and frequent change."

The New Father. "He expresses his emotions. He is a healer, a companion, a colleague, He is a deeply involved parent. He changes diapers, gets up at 2 A.M. to feed the baby, goes beyond 'helping out' in order to share equally in the work, joys, and responsibilities of domestic life." How can you hate this guy? Blankenhorn doesn't fault dads who change diapers, but he insists that this is not their most important contribution.

In contrast to this cast of losers, Blankenhorn holds up the Good Family Man. He "puts his family first. He is responsible for them. He sacrifices for them" to help prepare them for life in the real world. Sure, this guy also helps his wife care for the children and pitches in with household duties, but he views his role as complementary, not identical, to that of his

Father's Day Off

The United States is now the world's leader in fatherless families.

Tonight, almost 40 percent of America's children will go to sleep in a house where their biological father does not live.

A million children each year experience the divorce or separation of their parents.

Seventy-two percent of adolescent murderers and 70 percent of long-term prison inmates grew up without fathers.

Almost 75 percent of American children living in single-parent homes will experience poverty before they turn eleven years old. Only 20 percent of children in two-parent families will do the same.

The share of children living in families headed by a mother only has risen from 6 percent in 1950 to 23 percent in 1994.

Approximately half of all children will graduate from high school having spent at least some time living in a fatherless home.

Source: National Fatherhood Initiative

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spouse. This distinction is vital to the masculinity of men and to the future of fatherhood.

That's why, Blankenhorn says, it is crucial that society provide men with the right cultural script, because successful fathering depends more on societal codes of conduct than on biology. If we get those codes wrong, we'll see "the continuing decline of fatherhood and a deepening ambivalence and skepticism toward masculinity." We must get them right, because "fatherhood, more than any other male activity, helps men to become good men."

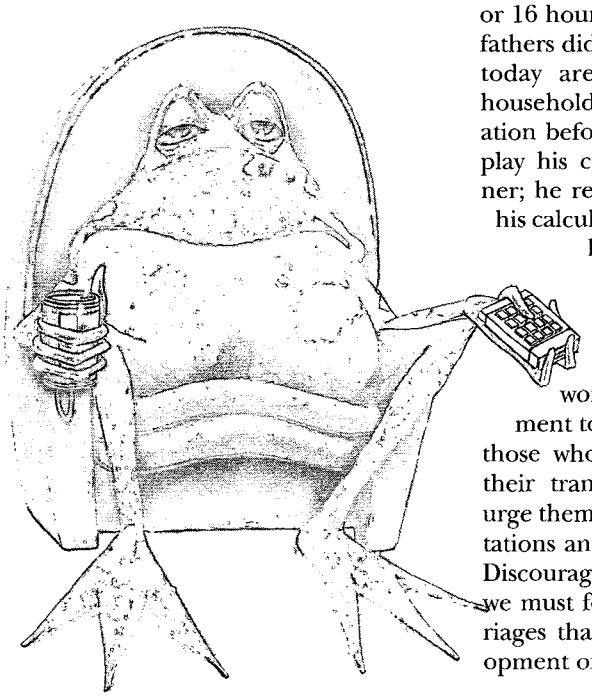
Your Man—Frog or Prince?

If you want to be a good father, the single most important thing you can do is to be a good husband. In a landmark study of marriage and parenting styles, Jay Belsky, professor in the Department of Human Development and Family Studies at Pennsylvania State University, has found that men whose marriages were in decline tended to exhibit parenting traits that undermine child development.

"Men appear much less likely than women to distinguish between their feelings about their child and their feelings about the marriage," writes Belsky in *The Transition to Parenthood: How a First Child Changes a Marriage; Why Some Couples Grow Closer and Others Apart.* (The book, by Belsky and John Kelly, is available in paperback from Dell.) "If a man is dissatisfied with the latter, he will usually stay away from his family, even if it means sacrificing the opportunity to get to know and form a close bond with his youngster."

Sadly, it seems marriages tend to be most vulnerable just when they need to be strongest—when children are very young. Belsky found that when children entered the picture, a little over half of all marriages declined. Only 20 percent of couples thought their marriages improved, and the remaining 30 percent of couples found their level of marital satisfaction to be about the same. Research by the National Center for Fathering also shows a "U-pattern" of marital satisfaction. It is high before the birth of the first child, declines when children are young, and tends to rise again as the children grow older and leave home.

Belsky writes that a major area of marital discord is the division of responsibility for child care and housekeeping. Babies are a lot of work, and the mother generally finds she bears most of the burden—by choice or by default. Because a woman will tend to measure her husband's share in domestic duties against her own (she typically does three times more than he does), that perception of unfairness breeds resentment. But men measure their contribution (which averages 15 or 16 hours a week) against what their fathers did. By this yardstick, husbands today are doing 40 percent more household work than men did a generation before. Also, she tends to downplay his contributions as a breadwinner; he regards them more highly. By his calculations, he's a prince; by hers, he's a frog.



The arrival of children provokes spousal conflict in other areas as well, Belsky writes, including money, work, social life, and commitment to the relationship. Obviously, those who would counsel couples in their transition to parenthood must urge them to address unrealistic expectations and conflict over gender roles. Discouraging divorce is not enough; we must foster strong and loving marriages that nurture the healthy development of children.

Leading the Fatherhood Brigade

Thousands of men gather in football stadiums around the country to recommit themselves to their wives and children. Vice President Albert Gore attends a national summit on fatherhood, with major news media in tow, and chastises men for walking away from "the most important role that any of us will ever play in life." Hundreds of thousands of African-American men convene in Washington, D.C., to pledge responsibility to their families. Is fatherhood making a comeback in the nation with the world's highest rate of father absence?

"There's not a movement," says the Reverend Donald Burwell of Fathers' Education Network in Detroit. "But I do think there is a fatherhood revival or Renaissance."

Whatever we call it, something is going on. In recent years, several new groups dedicated to promoting fatherhood have sprouted, and older organizations have reoriented their efforts to this cause. Here are some of the leaders in the fatherhood field—a mix of liberal and conservative, religious and secular—all united in a belief that fathers are vital to their children's well-being.

National Fatherhood Initiative

Tel.: 717-581-8860/800-790-DADS
Fax: 717-581-8862
Web site: http://www.register.com/father

"What reduces crime, child poverty, and teen pregnancy, *and* requires no new taxes?" asks the National Fatherhood Initiative. The group's answer, of course, is good fathers. The nonprofit organization was founded in 1993 to spread the "news" that fathers are indispensable to their children's development.

Its goal is ambitious: broad cultural and social change. But it has widespread support, savvy, creative and committed leadership, and a national advisory board that includes William J. Bennett, James Earl Jones, congressman Steve Largent, Willard Scott,

Illustration by Chris Cahill

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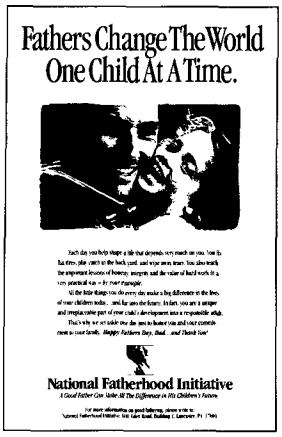
Louis Sullivan, and George Gallup. NFI's aggressive media outreach has garnered more than 650 mentions in publications nationwide. With backing from the Advertising Council, NFI will start a blitz of public-service announcements this year to reintroduce fatherhood as a vital concept.



NFI has become a nerve center for various fatherhood groups, sponsoring national and local meetings. Last summer and fall, NFI chairman David Blankenhorn led a "National Fatherhood Tour" to 30 cities to meet with community activists and promote the NFI "fatherhood pledge."

The organization plans an interfaith summit in Washington, D.C., in May, to convene various religious leaders—a more modest version of its 1994 National Summit on Fatherhood in Dallas, which brought together national and local religious, civic, business, and entertainment leaders. Also in the works is a summit addressing the needs of the African-American community, to be chaired by Louis Sullivan, the secratary of health and human services under President George Bush.

NFI president Don Eberly, a former top aide to Jack Kemp, is based in the national office in Lancaster, Pennsylvania, while director Wade Horn, a former U.S. Commissioner of Children, Youth, and Families, works out of Gaithersburg, Maryland. Originally conceived as a public-education campaign, NFI has also become a membership organization in response to popular demand. Membership benefits include a quarterly newsletter, a media kit, a guide for community activists, and a catalog of fatherhood-related books and videos. With three full-time and three part-time staff members and a budget of about $600,000, the institute's challenge now is to find the funding to carry out its many ambitious initiatives.

National Center for Fathering

Tel.: 913-384-4661/1-800-593-DADS
Fax: 913-384-4665

Considered one of the leaders in the field, the National Center for Fathering is a Kansas-based nonprofit organization that trains individuals in the fundamentals of fatherhood. Founded in 1990 by scholar Ken Canfield, the center holds seminars based on Canfield's *The Seven Secrets of Effective Fathers* (available from NCF in paperback and as an audiocassette or a video seminar).

"Where National Fatherhood Initiative is the strategic bomber of the fatherhood movement, we are the infantrymen in the trenches," says NCF spokesman David Warnick. With a budget of $560,000 and 10 full-time staff members, NCF runs programs for fathers from all backgrounds, including corporate personnel, prisoners, military dads, and inner-city fathers, and is actively involved in minority outreach. More than 15,000 fathers around the country have participated in its two-day training sessions.

Its national training program, "Operation Domestic Shield," is often disseminated through church networks, and Canfield works as a trainer for the evangelical Christian group Promise Keepers. But NCF prides itself on being a nonpartisan, nonsectarian organization, working with everyone from California governor Pete Wilson to Vice-President Al Gore.

The National Center for Fathering publishes a quarterly magazine, *Today's Father: For Men Who Want To Be Better Dads*, which contains parenting advice and lists of books and other resources, and also produces a three-minute radio program carried on more than 300 stations nationwide.

Promise Keepers

Tel.: 303-964-7772/1-800-888-7595
Fax: 303-433-1036

Although technically not a "father" group, this Christian evangelical organization, founded by former University of Colorado head football coach Bill McCartney, keeps popping up on the lists of leaders in the fatherhood-renewal movement because it promotes the building of strong marriages and families. It has been drawing tens of thousands of men, for $55 a ticket, into sports arenas from Seattle, Washington, to Washington, D.C., for two-day conferences featuring Christian music and inspirational speakers. Men make a series of promises to God, wife, family, friendships, church, and community.

Headed by president Randy Phillips, Promise Keepers now has a staff of 250 and a budget of $64 million, and its 1-800 number averages 20,000 calls a day during its summer registration season. Such success has alarmed some women's groups. In October 1995, for instance, a *Glamour* magazine editorial referred to Promise Keepers as "among those who still think men can't keep up unless women are kept down." In response, the group contends that being a leader means being a servant to one's family, not a tyrant.

Father to Father

Tel.: 612-626-1212
Fax: 612-626-1210

On Father's Day last year, Vice President Al Gore announced a new nongovernmental initiative to promote paternal involvement through community-based mentoring programs. The goals and structure of Father to Father are so ill-defined that it is difficult to tell where this initiative is going, but Gore's high-profile support will bring welcome attention to the issue. This loose federation, under the direction of Martha Farrell Erickson of the Children, Youth and Family Consortium at the University of Minnesota, offers kits to communities and organizations that want to reach out to fathers, providing lists of resources and strategies for starting their own mentoring group.

An electronic version of this effort is called FatherNet, a free 24-hour-a-day electronic meeting place that provides the latest information and resources about and for fathers. *Web site: http://www.fsci.umn.edu/cyfc/cyfc.html*

The Fatherhood Project

Tel.: 212-465-2044
Fax: 212-465-8637

Under the mantle of the liberal Families and Work Institute since 1989, the Fatherhood Project was founded in 1981 by director James A. Levine as a national research and education pro-

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gram to increase male involvement in childrearing.

Programs include the Male Involvement Project, directed by Edward W. Pitt, which works with Head Start and other early childhood and family support programs. The MIP sponsors community-based social programs in Baltimore, Minneapolis, and the San Francisco Bay area, and a national training program for early-childhood administrators such as pre-school directors.

Publications include *Getting Men Involved: Strategies for Early Childhood Programs* and *New Expectations: Community Strategies for Responsible Fatherhood.* The Fatherhood Project also oversees a program called Fathers and Work, which promotes family-friendly workplaces and presents seminars on how to deal with "daddy stress."

A caveat: Critics argue that the project's emphasis on separating men from the role of breadwinner could inadvertently erode paternal involvement and provision. Some claim that directors Levine and Pitt have bought into a feminist agenda that aims to turn fathers into substitute moms.

The Institute for Responsible Fatherhood and Family Revitalization

Tel.: 216-791-8336 (Cleveland office)
Tel: 202-789-6376 (national office)
Fax: 216-791-0104

Hailed as a "modern-day prophet" and a "visionary" by others in fatherhood circles, Charles Augustus Ballard began the institute 13 years ago to help young, directionless black men in Cleveland, Ohio, become involved in their children's lives. (See his article, "Prodigal Dad: How We Bring Fathers Home to Their Children," in the Winter 1995 *Policy Review.*) Most fathers who have gone through Ballard's program finish high school, get jobs, and legally establish their paternity.

Ballard's emphasis on reuniting fathers with their children—grounded in thoroughly biblical themes of family and responsibility—has appeal across the political spectrum. The institute's national office is housed in the Joint Center for Political and Economic Studies, a nonpartisan liberal think tank. His urban program got a tremendous boost in early 1995 when the Ford Foundation gave the group $2 million to reproduce its efforts nationally. The institute has opened five new centers: in Milwaukee, Washington, D.C., San Diego, Atlanta, and Yonkers, N.Y., each to be headed by a married couple. The institute's strategy is to saturate one blighted neighborhood at a time.

Some question whether a group headed by a single charismatic leader can replicate and institutionalize its programs. We'll see: Each new location will be headed by men and women who have been trained by Ballard in Cleveland.

M.A.D. D.A.D.S.

Tel.: 402-451-3500
Fax: 402-451-3477

Six years ago, 18 African-American men in Omaha, Nebraska, decided they would no longer tolerate gang violence and drug-dealing in their neighborhoods. So they created M.A.D. D.A.D.S. (Men Against Destruction—Defending Against Drugs and Social Disorder), a community-based group that organizes street patrols, paints over gang graffiti, confronts drug-dealers and gang members, sponsors activities for youth such as block parties and car shows, and to counsels young people in local jails.

"We started out of pain—the pain of our children dying in the streets of their own communities," says a recent M.A.D. D.A.D.S. publication. "We realized that we could hold no one responsible but ourselves. . . . So we united as a handful of community fathers who now know that we must be the force behind change."

From this handful grew an organization of more than 25,000 volunteers, with 41 chapters in Colorado, Florida, Iowa, Maryland, Michigan, Mississippi, Nebraska, New York, Ohio, Tennessee, and Texas.

The group has logged more than 87,000 volunteer hours on the streets—more than half after midnight. For its work on the front lines of impoverished minority communities, M.A.D. D.A.D.S. has won national recognition from Presidents Bush and Clinton, the National Education Association, and *Essence* magazine. Fathers who want to open a chapter of M.A.D. D.A.D.S. in their community can contact the national office in Omaha and ask for John Foster, Bishop Robert Tyler, or Eddie Staton.

Fathers' Education Network

Tel.: 313-831-5838
Fax: 313-831-6353

Can ex-cons be good dads? The Reverend Donald Burwell, whose organization works with fathers newly returned from prison or first-time offenders hoping to avoid jail time, has answered that question at least 5,000 times. Since 1990, that's how many men his Detroit-based group has trained in the interpersonal skills they need to reconnect with their families. In the process, the organization has cut recidivism rates in half for its participants. FEN also offers instruction to women to help them reinforce at home what their husbands or boyfriends have learned in class.

A tax-exempt nonprofit funded solely by donations, FEN will soon be taking Burwell's innovative curriculum to four new locations in Michigan, and opening branches in Chicago, Brownsville, Texas, and near Memphis, Tennessee.

A Father's Library

The Father Factor: What You Need to Know to Make a Difference, by Henry B. Biller and Robert J. Trotter (Pocket Books). Examines the contributions that only a father can make to parenting.

Fatherhood: An Owner's Manual, by Doug Spangler (Fabus Publishing). Aimed at fathers of children up to age five.

The Gift of Fatherhood, by Aaron Hass (Simon & Schuster). Explains how men's lives are transformed by their children.

The Five Key Habits of Smart Dads, by Paul Lewi (Zondervan). Offers a simple model of effective fathering.

From the 1995 Fatherhood Resource Catalog, published by the National Fatherhood Initiative. For more information, call 717-581-8860.

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Delta Force

Mississippi governor Kirk Fordice enlists congregations as social workers to shatter the cycle of welfare dependency.

by Joe Loconte

States across the country are trying to reduce welfare costs and attack the system's culture of subsidized family breakdown. They're capping benefits for additional children born into welfare families, booting childless recipients from the rolls, and setting time limits on assistance. One of the nation's most provocative experiments aims to reform not only welfare but the individuals who receive it—by turning over the state's role as social worker to local churches and synagogues.

"God, not government, will be the savior of welfare recipients," says Mississippi governor Kirk Fordice. The Republican governor is convinced that the religious community can succeed where government by itself cannot—by transforming the attitudes and behaviors of the welfare class. What is emerging in Mississippi is an unprecedented alliance between the governor, the state's Department of Human Services (DHS), and scores of local churches—all determined to tap the moral and spiritual resources of congregations to help lift Mississippi's 167,000 welfare recipients into permanent economic independence.

Mississippi appears ripe for such an experiment. It is at once one of the nation's poorest states and one of its most religious. There are more churches here per capita than in any other state, but it also has the largest percentage of citizens receiving welfare assistance. Here many children still begin their school days in prayer, but more and more of those same children are having babies, pushing the state's illegitimacy rate to 44 percent. Here the cab drivers listen to Christian radio but navigate in cities where more than half of all children now live with an unmarried mother.

A Gallup poll reveals that Mississippi and its southern neighbors boast "the greatest concentration and highest levels of religious fervor in America." So why hasn't all of this religiosity translated into stronger families, fewer people dependent on government welfare, and fewer social problems?

It is perhaps ironic that a politician, not a preacher, has moved that question near the center of welfare reform in Mississippi. A year ago, Fordice summoned the state's religious leaders to the capitol, where he more or less read them the riot act. He challenged them to reach out aggressively to needy families in their communities, but to stop repeating the errors of government assistance. "The present system does absolutely nothing to inspire self-esteem, independence, or healthy family relationships," he has said.

The "Faith and Families Project" hopes to revolutionize that system by matching welfare families, typically headed by an unmarried mother with at least two children, with congregations ready to become their *de facto* social workers. DHS officials expect participating churches to help individuals find good jobs and keep them. That means getting personally involved in ways that most state caseworkers, each tracking more than 200 families, cannot: lending emotional support and helping with child care, household budgeting, even grocery shopping.

So far, the state has struck an arrangement that is keeping church-state litigators quiet. Churches are not asked to provide any financial support to welfare recipients; families are not required to attend the churches providing help. No welfare benefits are funneled through congregations, but government assistance, averaging $858 a month per family, continues until the family is independent.

State officials expect, however, that congregations will do what they dare not try: wield moral authority and spiritual values among the state's 50,000 AFDC families—one by one—to transform their culture of dependency. "The problem is not material poverty, it is behavioral poverty," says Donald Taylor, executive director of the Mississippi DHS. "We're not interested in getting churches to replace welfare. What we're asking them is, 'what can you provide to help move a family from economic slavery to economic independence?' "

The answers are becoming increasingly urgent as Congress converts the federal welfare system into block grants, shifting primary responsibility for the poor back to the state and local level. Mississippi's tough welfare-to-workfare program, buoyed by rapid job growth, has helped reduce AFDC rolls by 12,000 families over the last three years. But state and federal welfare costs, including Medicaid, food stamps and supplemental security income, hit $2.3 billion in Mississippi in 1993, or at least $16,870 per family in poverty. Moreover, no state has a higher portion of its welfare expenses—about 80 percent—paid by the federal government than Mississippi.

By maintaining the state's safety net but focusing on permanent behavioral change, Fordice hopes to reduce generational poverty. The goal: to see each of the state's 5,000 congregations adopt a welfare family, or about 10 percent of the existing caseload. Fordice hopes to bring down the number of long-term dependents, keep newly independent families from slipping back into poverty, and help families at risk—hopefully making large new state expenditures on welfare unnecessary.

Will it work?

Beatrice Branch, Mississippi director of the NAACP, expects "minimal"

Joe Loconte is the deputy editor of Policy Review: The Journal of American Citizenship.

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results, claiming the plan "does not have broad-based support." Rims Barber, an ACLU lobbyist in Jackson, calls the program an election-year ploy, "a strong PR campaign, but that's all."

Try telling that to the Rev. Ronald Moore, the pastor of Stronger Hope Church in north Jackson. Moved by the governor's vision to enlist the aid of local churches, Moore began to challenge his black, middle-class congregation to reach out to welfare families in the city's depressed central and south sections. His congregation of about 200 has adopted 17 families, and five have found full-time employment. "I think the governor has hit a grand slam," says Moore. "He has caused many church leaders to say 'yes, we've dispensed love, but there is a group of people who we've not really changed.' "

Much of the state's religious community—dominated mainly by independent-minded Baptist churches and black congregations with memories of racial segregation—remains skeptical about any partnership with government. Nevertheless, about 175 churches have contacted the DHS to get profiles of welfare families in their neighborhoods, and have adopted more than 75 families on AFDC. In September, the Mississippi Family Council hosted a conference on breaking the welfare cycle that drew more than 200 church leaders and lay people.

The most common refrain was that churches—black and white—are indeed failing in their most basic moral and spiritual responsibilities to the poor.

"There is something wrong with a gospel that will not lead people out of poverty," says the Rev. Thomas Jenkins, chairman of the church-based New Lake Development Foundation in central Jackson. The foundation offers tutoring programs and classes for the General Equivalency Degree, carpentry, computer training, and transitional housing for women and children—all emphasizing the implications of faith on daily decision-making.

Moore, who recruits congregations statewide for the program, emphasizes the role of the church in teaching personal responsibility and hard work, sexual abstinence and fatherhood. His favorite theme: "Stop doing what the government's been doing. Government has been trying to treat the effect, the aftermath. But we've got to go back to the basics and treat the cause."

Over the last year, Moore has addressed more than 300 pastors representing several denominations. Numerous churches have endorsed the initiative, including the National Baptist Convention, the nation's largest black denomination.

Top DHS officials, handpicked by Governor Fordice, are reading from the same reform hymnal. Executive director Taylor has invited a leading consulting firm to work with his deputies and divisional directors to remake the agency's philosophy of assistance. State caseworkers who continue to function as "enablers," Taylor says, are in for a rude awakening.

The buzzwords at the DHS now are "accountability," "responsibility," and "permanent change." That's a significant leap for any state welfare department. And if large numbers of the state's congregations take up the governor's challenge to labor among the poor, then Mississippi could redefine the welfare debate with other words—such as faith, hope, and charity.

SCRAPBOOK

Graham Cracks the Racial Barrier

Mississippi governors haven't always had such cordial relations with religious leaders. In 1952, a fiery young Southern Baptist preacher named Billy Graham led an interracial crusade in Jackson, defying segregationist governor Hugh White's request that he hold entirely separate services for blacks.

Graham wrestled with the segregation question just as he was beginning to attain national prominence as an evangelical preacher. Though he rejected separate services during his Jackson campaign, Graham accepted segregated seating. He seemed to have done so with reservations. Toward the close of the crusade, he said that God's love knows no racial barriers. Moreover, he identified Jackson's two greatest social problems as illegal liquor (Mississippi was still dry) and segregation.

"There is no scriptural basis for segregation. It may be there are places where such is desirable to both races, but certainly not in the church," Graham told the crowd. "The ground at the foot of the cross is level. . . . [I]t touches my heart when I see whites stand shoulder to shoulder with blacks at the cross."

Though Graham's statements were both risky and visionary—he made them four years before Martin Luther King Jr. rose to national prominence—he waffled on the segregation question when challenged by critics. He must have done some soul-searching over the next several months: In March 1953, a year before the Supreme Court outlawed segregated schools, Graham told the sponsoring committee of his Chattanooga, Tennessee, crusade that he could not abide segregated seating. The committee balked. Graham didn't blink: Committee members watched in astonishment as he personally took down the ropes separating black and white sections.

After the Court's *Brown v. Board of Education* ruling, Graham never permitted any form of enforced segregation in his meetings, even in the Deep South.

"The church should have been the pacesetter. The church should voluntarily be doing what the federal courts are doing by pressure and compulsion," the young preacher said. Graham soon became convinced—as even many secularists now claim—that "a great spiritual revival is needed to relieve the racial and political tensions of today."

Background source: A Prophet With Honor: The Billy Graham Story, *by William Martin (William Morrow, 1991)*

Photo courtesy of Billy Graham Center

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Can Congress Revive

By Senator Dan Coats,

With responses from

Gertrude Himmelfarb, Don Eberly & David Boaz

Illustration by Phil Foster

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The retreat of government, says the senator, does not automatically result in the rebirth of civil society.

Civil Society?

In their 1975 book *To Empower People*, Richard John Neuhaus and Peter Berger challenged policymakers to protect and foster the "mediating structures"—neighborhood, family, church, and voluntary associations—that stand between the private individual and large government institutions. "Wherever possible," they wrote, "public policy should utilize mediating structures for the realization of social purposes."

Twenty years later, Washington is heeding the call. In October 1995, Senator Dan Coats introduced a package of legislative proposals to help empower local, community-based institutions that are addressing social problems. Crafted with the help of William J. Bennett, a codirector of Empower America, the "Project for American Renewal" comprises 19 separate bills designed to use public policy—and public resources—to energize mainly private efforts to meet human needs. Coats defended his legislation at a recent symposium at The Heritage Foundation; what follows are his remarks and critiques by some of the symposium's participants.

Senator Dan Coats

Re-funding Our "Little Platoons"

An intellectual revolution is underway concerning the nature of our social crisis. It is no longer credible to argue that rising illegitimacy, random violence, and declining values are rooted in the lack either of economic equality or of economic opportunity. These positions are still current in our political debate, but they have lost their plausibility.

America's cultural decay can be traced directly to the breakdown of certain institutions—families, churches, neighborhoods, voluntary associations—that act as an immune system against cultural disease. In nearly every community, these institutions once created an atmosphere in which most problems—a teenage girl "in trouble," the rowdy neighborhood kids, the start of a drug problem at the local high school—could be confronted before their repetition threatened the existence of the community itself.

When civil society is strong, it infuses a community with its warmth, trains its people to be good citizens, and transmits values between generations. When it is weak, no amount of police or politics can provide a substitute. There is a growing consensus that a declining civil society undermines both civility and society.

In this discussion, the importance of civil society is something I want to assume, not argue. But it leads to another question: Does this intellectual revolution have political consequences? Should it influence the agenda of Congress, or is it irrelevant to our work?

Let me begin by saying what is *not* at issue. I do not argue that government is sufficient to the need. Nothing short of a Great Awakening, as Gertrude Himmelfarb has noted, is sufficient to the need. But I *do* argue that conservatives have duties beyond waiting for another Charles Wesley. Realism about government's limits is not a substitute for effective public policy. I am convinced that political reflection on these themes is important not only for its own sake; it provides the next, necessary stage of the conservative revolution.

Government clearly has had a role in undermining civil society. Families, churches, and community groups were forced to surrender their authority and function to bureaucratic experts. Fathers were replaced by welfare checks, private charities were displaced by government spending, religious volunteers were dismissed as "amateurs", whole communities were demolished in slum-clearance projects. The power to replace an institution is the power to destroy it.

So the first item on the political agenda is a re-limited government, leaving enough social space for civil society to resume its role.

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A Senator's Plan to Help Renew America

A summary of the bills Senator Coats introduced as part of his "Project for American Renewal":

FATHERING, MENTORING, AND FAMILY

The Kinship Care Act • Creates a $30-million demonstration program for the states to keep children out of foster care by placing them with qualified family members.

The Role Model Academy Act • Establishes a residential academy for at-risk youth, offering high academic standards and job training, that focuses on personal responsibility and discipline.

The Character Development Act • Gives school districts three-year demonstration grants to enlist community groups to connect children with mentors and other role models.

The Family Housing Act • Ensures that 15 percent of public housing is set aside for families headed by a married couple.

The Mentor Schools Act • Provides $1-million grants to school districts willing to develop and operate single-sex schools; supports mentoring of students by teachers and volunteers.

The Adoption Assistance Act • Offers tax credits of $5,000 to adopting parents earning less than $60,000, and smaller credits to those earning between $60,000 and $100,000.

The Family Reconciliation Act • Increases money to states, under the Family Preservation and Social Services Act, to fund predivorce counseling and adopt waiting periods of at least 60 days in divorces involving children under 12.

The Family Fairness Act • Gives a $1,000 tax credit to married couples who make at least $8,500 and receive the Earned-Income Tax Credit.

The Responsible Parenthood Act • Requires that every federal dollar spent on family planning be matched by another dollar spent on abstinence education and adoption services.

COMMUNITY EMPOWERMENT

The Educational Choice And Equity Act • Authorizes demonstration grants for 100 school districts to give vouchers for low-income families to send their children to any public or private school.

The Restitution And Responsibility Act • Provides grants for states to strengthen the enforcement of restitution for crime victims, particularly through better data collection and stiffer sanctions.

The Assets For Independence Act • Creates a $100-million demonstration program to establish savings accounts among the poor. Family deposits—used to fund housing, education, or the creation of a small business—would be matched by churches, foundations, corporations, and state and federal revenue.

The Urban Homestead Act • Requires the Department of Housing and Urban Development to transfer ownership of all its unoccupied, single-family public housing within two years to local governments. Units would then be offered for sale to local community development corporations, which help low-income families find affordable housing.

The Maternity Shelter Act • Provides $50 million in vouchers for women to cover their costs at private and religious maternity group homes. Also provides grants to private nonprofit groups to repair existing maternity homes.

The Neighborhood Security Act • Gives grants to community organizations that confront crime in cooperation with local police, including citizen patrols and community policing.

EFFECTIVE COMPASSION

The Comprehensive Charity Reform Act • Provides a $500 poverty tax credit ($1,000 for married couples) for donations to charitable organizations; also allows nonitemizing taxpayers to deduct their charitable contributions.

The Compassion Credit Act • Creates a $500 tax credit for those who provide home care for the needy, including the homeless, abused women with children, unmarried pregnant women, and hospice patients such as AIDS and cancer sufferers.

The Medical Volunteer Act • Extends federal insurance against liability suits to any health-care professional who provides free medical services to a "medically underserved" person.

The Community Partnership Act • Provides demonstration grants for programs that match welfare recipients and nonviolent criminals with religious communities willing to offer moral guidance and practical help.

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But this brings us to a problem. The retreat of government does not automatically result in the rebirth of civil society. It is a necessary condition, but not a sufficient one. As Professor John DiIulio has observed, when a victim is stabbed, you need to remove the knife. But removing the knife will not heal the wound.

In Russia, the retreat of government has resulted in what one expert calls "anarcho-capitalism"—closer to the Mafia than the invisible hand. Even if this result had been known beforehand, it would not have been an argument to retain the communist system. But it *is* an argument for respecting the potential for social dislocation when civil society is weak. Robert Woodson of the National Center for Neighborhood Enterprise has said, "[T]he moral centers of black life were decimated by liberal policies." We should not ignore the potential for suffering, especially in our cities, when government retreats.

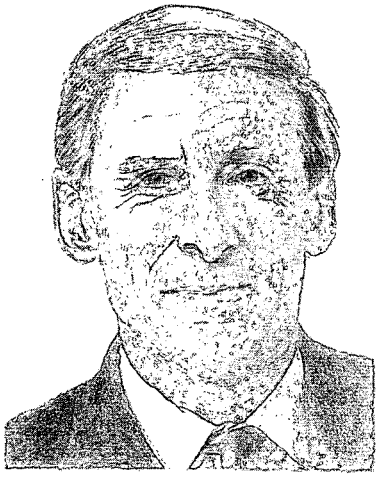
The decline of civil society threatens the future of our political order. It requires us to ask certain questions out of a reasonable, justified desperation. How do we creatively, but not intrusively, strengthen the safety net of civil society? How do we encourage the transfer of resources and authority, not just to state governments, but to those private and religious institutions that shape, direct, and reclaim individual lives?

There is not—and could never be—a government plan to rebuild civil society. But there must be ways to actively take the side of people and institutions who are rebuilding their own communities, and who often feel isolated and poorly equipped.

This is the theory that Bill Bennett and I have adopted in the "Project for American Renewal." Government cannot directly restore what it has crippled. But we believe that deferring to and depending on these institutions in public policy would have a positive effect. As Robert Putnam of Harvard University has argued, the resources of community, unlike physical resources, become depleted when they are *not* used. They must be exercised or they atrophy.

Our goal is to exercise civil society by turning over federal roles to private institutions. In practice, we hope to tilt public policies in favor of intact families. We want to strengthen grass-roots community organizations. And we propose to shift welfare responsibilities to private and religious charities. Every dollar spent by families, community groups, and faith-based charities is more efficient and compassionate than any dollar spent by the federal government.

The centerpiece and symbol of the package is the "Comprehensive Charity Reform Act." It would allow individuals to donate $500 of their tax liability to private, antipoverty organizations. This measure would take about 8 percent of federal welfare spending and provide it directly to institutions actually winning their war on poverty, armed with spiritual vitality, tough love, and true compassion.



My objective is to promote a new ethic of giving in America. When individuals make these contributions to effective charities, it is a form of involvement beyond writing a check to the federal government. It encourages a new definition of citizenship—one in which men and women examine and support the programs in their own communities that serve the poor.

This is exactly how I came to be involved in these issues. My initial interest was not academic. I had the experience of seeing how religious charities not only feed the body but touch the soul. They are dramatically effective, while the programs I reauthorized year after year in Congress did not even bother to keep track of their dismal results.

We should not ignore the potential for suffering in our cities when government retreats.

One of my favorite examples is the Gospel Mission in Washington, D.C. It provides one of the most vivid contrasts to government failure I have ever seen. It has a 12-month drug rehabilitation rate of 66 percent, while a once-heralded government program just three blocks away rehabilitates less than 10 percent of those it serves. Yet the government program spends many times more per person.

To explain the difference you need to talk to those the Gospel Mission has served. One addict who came to the shelter after failing in several government programs says, "Those programs generally take addictions from you, but don't place anything within you. I needed a spiritual lifting. People like those at the mission are like God walking into your life. Not only am I drug-free, but more than that, I can be a person again."

Marvin Olasky has talked about the need to

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"defund" government and "refund" those faith-based institutions that actually work. Bill Bennett and I have taken this not merely as an interesting observation but as a challenge. The Project for American Renewal is not the definitive answer, but it is the beginning of a debate we can no longer avoid.

Naturally, we've encountered criticism, which has centered around three questions. First, is the project a violation of the letter and spirit of devolution? Nothing could be further from the truth. What we advocate is a particularly radical form of devolution. Some conservatives only seem comfortable transferring federal resources and authority to state bureaucracies. Our package would redistribute power directly to families, grass-roots community organizations, and private and religious charities. It is hardly a conservative position to argue that, of all the institutions of American society, only state governments merit our trust. Our goal should not only be to redistribute power *within* government, but to spread power *beyond* government.

Federalism is useful, but we need to avoid Tenth Amendment utopianism.

Second, should there be *any* role for the federal government in these matters?

My response is that conservatives need to pick their fights. States are better positioned to do many things—but not to do everything.

Federalism is useful, but we need to avoid a 10th Amendment utopianism. Bill Bennett tells the story of a governor who sought a series of federal waivers from him when he was President Reagan's education secretary. Bennett responded that they would be granted, but only if the governor also sent of list of state obstacles to reform. The state regulations far outnumbered the federal ones.

State officials can repeat the same mistakes as their federal counterparts. State welfare bureaucracies can be just as strong and wrong as federal programs. We need the wisdom to concentrate on those areas where we can be most effective, even if it means a federal role in jump-starting reform. It is a paradox that it takes an active federal government to divest itself of its own power. Federal inertia serves the cause of bureaucratic centralization.

Third, does the project—with its tax credits—contradict the Republican economic agenda, particularly the flat tax?

I support a flatter, fairer, simpler tax code. But I am convinced that eliminating the charitable deduction would be social engineering on massive scale. The level of charitable giving is closely correlated with the treatment of charitable contributions in tax law. Abandoning this commitment would invoke the law of unintended consequences with a vengeance.

There are many in the Congress who could not and would not support such a reform. And many of the most serious flat-tax proposals now recognize this fact, carving out an exception for charitable giving. Those are the only initiatives with a political future.

I believe we are led by policy to creatively surrender federal authority to civil society. But there is a political point to be made as well.

There is only one thing more important than what Republicans do in the budget debate. It is what they say the day after it has ended. If our only appeal to Americans is a balanced budget and devolution to state bureaucracies, the Republican revolution is likely to falter.

No lasting political realignment can occur without an element of vision and hope—a message that our worst social problems, while persistent, are not permanent. Hope is what turns a sociological debate into a compelling political theme. If we do not develop such a theme, Republicans will become social Darwinists by default—accepting the survival of the fittest. But we know where that hope is kindled—among individuals and groups engaged in the hard, noble work of restoration. Their victories are among America's great, untold stories. No alternative approach to our cultural crisis holds as much promise as the success of these "little platoons," precisely because they have qualities not found in government at any level—spiritual renewal and authentic compassion. As a matter of public policy, and as a matter of prudent politics, it is time to aggressively take their side in the battle to recivilize American society.

***Dan Coats** is a Republican Senator from Indiana and the creator, with William Bennett, of the Project for American Renewal.*

Gertrude Himmelfarb

Remoralizing Civil Society

I have never been beguiled by the idea of devolution. Like Senator Coats, I believe that devolution—the transfer of power from the federal government to local and state governments—is a necessary but not a sufficient step in the reform of our society. I also believe that the next stage of devolution—the transfer of power from government at all levels to civil society—is

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necessary—but again not sufficient.

In recent times, civil society has had many of its functions usurped by an overweening government. Welfare has displaced a good deal of charity. Families have been relieved of the obligation to care for their aged and incapacitated members. Communities can no longer stigmatize behavior such as illegitimacy that the government subsidizes and, in effect, legitimizes—rhetorically as well as practically. (While researching my last book, I wrote a federal agency to inquire about the latest statistics on illegitimacy. I received a letter firmly rebuking me for using that term; the proper term, I was told, is either "nontraditional child bearing" or "alternative modes of parenting"—hence, legitimizing illegitimacy).

Civil society has thus been severely weakened by government. But it also has been weakened by the culture in general. More important, it has been corrupted by the culture. In fact, some of the institutions in civil society are thriving as never before. There are powerful philanthropies and foundations, more than we've ever had before, and some have unprecedented wealth; there are private schools and colleges, social agencies, civic institutions, cultural organizations, and churches of all kinds. And all are flourishing in civil society.

But not always to good effect. Senator Coats describes civil society as an "immune system" against social disease. But civil society has been infected by the same virus that has afflicted the culture in general. The theories and practices that have been so detrimental to our educational system—affirmative action, multiculturalism, outcome-based education—have been initiated and promoted by private foundations and universities. Some of the most egregious projects funded by the National Endowment for the Arts have been proudly exhibited in local museums supported by the cultural elites of those communities. Even the churches, both mainstream and New Age churches, have contributed to what I would call the "de-moralization" of society, the kind of permissiveness and self-indulgence that is so conspicuous in our culture at large. The family is the bedrock of civil society. But it, too, is in a bad state—witness the prevalence of illegitimacy, divorce, transient "relationships," neglected children, households where the main cultural vehicle is television, with its incessant messages of promiscuity and violence.

Conservatives also must devise laws and social policies that will legitimize traditional values.

It is not enough, then, to revitalize civil society. We have to start thinking about "remoralizing" civil society. And that is a far, far more difficult task. And here—paradoxically—is where the government can be helpful. Unlike some of my conservative friends, I've never been a libertarian in economic affairs; nor am I much of a libertarian in social and cultural affairs. In our present situation, it seems to me, the remoralization of society requires that we avail ourselves of all of the resources that we can command—public and private, religious and secular, governmental as well as civil.

This may be the most important lesson I learned from the Victorians: They did not bifurcate their lives. They did not distinguish between private virtue and public virtue. Nor did they try to keep religion out of the public square. The Dissenters, for example, had no objection to the established Church of England (there was no serious movement for the disestablishment of the Church throughout the entire Victorian period). Secularists habitually joined with religious groups—utilitarians with Evangelicals—in promoting various measures of social reform. Government officials responsible for the distribution of public relief cooperated with private charities, their common purpose being to prevent the "de-moralization of the poor"—what we more politely call the "culture of dependency." They used, in short, whatever resources were available, in civil society and in the polity, to help stabilize and remoralize society.

It's often said that you can't legislate morality. But we have, in fact, done just that. The civil-rights legislation in the 1960s had the effect not only of legally proscribing racial discrimination but also of proscribing it morally. The fact is that individuals, communities, families, neighborhoods, and churches do not function in isolation. They cannot sustain traditional values that are at odds with those being promoted by the government, by the courts, and by the culture. All values, even traditional values, have to be legitimized. And in a secular society, the main organs of legitimization are government, law, and the culture.

Conservatives, then, must not only eliminate laws and social policies that have illegitimatized

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traditional values. They also must devise laws and social policies that will legitimize traditional values. One might say that our legislators and policymakers are as much our moral instructors as are our teachers and preachers. This is why the Project for American Renewal is an important document—not only for the specific measures it proposes, but also for the principle it conveys: that government—responsible, modest, self-critical government—may be a useful ally of civil society in the remoralization of society.

Gertrude Himmelfarb *is professor emeritus of history at the Graduate School of the City University of New York. Her most recent book is* The De-Moralization of Society: From Victorian Virtues to Modern Values *(Knopf, 1995).*

Don Eberly

The New Demands of Citizenship

Dan Coats has issued a challenge for us to join in a new intellectual revolution, and join it we must. The most promising aspect of this revolution is that its recovery of the term "civil society" suggests that this concept may once again take deep root in our policy debates and in the public imagination. Civil society may very well supply the framework for a promising new social policy for the 21st century.

In his book *The Quest for Community,* Robert Nisbet suggested that the great challenge of modern society is "protecting, reinforcing, nurturing where necessary, the varied groups and associations which form the true building blocks of the social order." Nisbet's concern at the time (the 1950s) was that the human yearning for community, which is rooted in our social nature, would likely feed the hunger for a pervasive centralized government if not properly directed toward the restoration of real, functioning local communities. Our failure to heed his warning has left us with precisely the dangerous combination he feared—a powerful central state combined with radically weakened social institutions.

In considering solutions to America's cultural decline, we would do well to keep in mind an ancient Chinese proverb: The possibility of progress begins when you call a problem by its right name. The present crisis in America is a crisis not merely of political and governmental dysfunction, but of societal disintegration.

We are witnessing today a dangerous depletion of the spiritual and psychological qualities upon which democracy and limited government depend. Our character-shaping institutions are collapsing in the face of a hedonistic mass culture increasingly characterized by violence, incivility, and a flagrant disregard for human dignity. We Americans are in rapid retreat from the very idea of society.

If we are to reverse this trend, we must change our conversation, and quickly, from the deterministic logic of the social sciences, which shift responsibility for antisocial behavior from the individual to the larger society. And we must move beyond our preoccupation with governmentalism—that is, what government does, how it does it, or what it stops doing.

Can Congress restore civil society? No one here believes that Congress can do more than help to set the conditions for such a recovery. But we should question whether Congress is prepared to do this much. Politicians must recognize that their ultimate success in policy reform depends precisely upon a deeper social renewal that can only originate in our hearts, homes, and local communities. The real question, then, is how do we, as a political community, respond to Nisbet's challenge to nurture the varied groups and associations of civil society.

Freedom from the clutches of the social-service state is a freedom to become Americans again.

There are many positive contributions that social policy reforms can make toward this end. Peter Berger and Richard John Neuhaus, in their classic work *To Empower People,* urged that the intermediary institutions and associations of civil society be recognized in policy reforms. They offered two primary principles to guide public policy formulation: first, that public policy should protect and foster mediating structures; and second, that wherever possible, public policy should encourage mediating structures to address social concerns. This is essentially what the Coats bill is attempting to do. Finally, there is much the individual politician can contribute to the recovery of foundational solutions: Elected officials can lead in rebuilding civic community and recovering effective charity in their districts.

The most important thing is that we get the intellectual revolution right. That requires understanding what civil society is, why it matters, and what we Americans can do to recover it. The debate that lies ahead may indeed spark one of the most consequential shifts in social policy we have ever witnessed. The bill signals a departure from our current obsession with either the state or the market as instruments for social progress. Civil society is a different sphere. It is an intermediary sector, where private individuals

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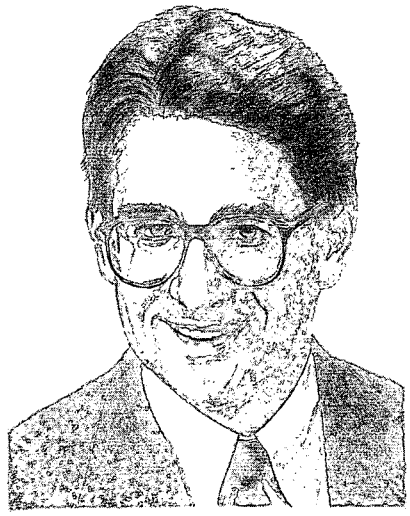
join voluntarily in associations that operate neither on the principle of coercion, nor entirely on the principle of rational self-interest. In fact, the *modus operandi* of life in civil society gives expression to the pursuit of the common good, where actions are animated by a spirit of trust and collaboration.

If I have a caution here, it is that civil society not simply be embraced mostly for its utilitarian value in replacing the central welfare state. The stakes in recovering civil society go far beyond the replacement of the welfare state, as important as that is.

The mediating associations of civil society, as Alexis de Tocqueville tells us, are essential to both our democratic and economic systems. He noted that "feelings and opinions are recruited, the heart is enlarged, and the human mind is developed only by the reciprocal influence of men upon one another" operating in civil society. This sector generates the social capital—responsible citizens capable of self-governance and trust toward others—upon which our economic and democratic life depend. Lose this third sector, and you end up not with two sectors but eventually with only one: the bureaucratic state. The reason for this is that a society of isolated, atomized individuals is simply no match for the power and expansive ambition of the omnicompetent state. In fact, individuals who are cut off from the problem-solving, order-creating realm of civil society will almost certainly turn to government for order and safety, and yes, even for a sense of belonging and purpose. The result is a politically organized society which is held together mainly by force of state authority. Anyone who thinks that the monster of statism has been slain by the mere adoption of the policies of political devolution should think again.

Civil society, by definition, embraces institutions, groups, and associations, not individuals. It frustrates our dominant cultural impulse, which is to assert that the autonomous self is the only sovereign, and it grates against our dominant political reflex, which celebrates boundless individual choice as the highest good. The realm of civil society is free and largely autonomous, but it nevertheless imposes constraints and obligations on the individual and limits his choices. In other words, talk of civil society implies a return to authority and order. Many Western liberals—whether in political or economic terms—have embraced a notion of absolute freedom that is simply not self-sustaining.

So as we evaluate this legislation, we must remember what has happened in our political culture even as we discuss the need for mentoring, fathering, character-shaping charity, community empowerment, and curbing divorce. Public policy has shifted away from our decades-long impulse to empower isolated individuals. Policies are now being directed at asserting institutional authority, social obligations, and moral requirements over the individual. We must be clear: We are talking about restoring authority in the noncoercive realm of civil society, not the coercive realm of the state.



Freedom from the suffocating clutches of the social-service state is not simply a freedom to be left alone, as the latest conservative mantra has it. It is a freedom to become Americans again—compassionate, civic minded, and committed to rebuilding the good society.

The risk of the present revolution in Washington is that it simply replaces a sterile statism with an equally sterile antistatism, which does little to give life to a dying society. Dismantling ineffective and costly government is important work, but it does not constitute by itself a social or political philosophy. Freeing up the market is a splendid idea, but it does not constitute by itself a vision for a well-ordered society, and the market contributes little by itself to the recovery of community. (Some would argue that its effects are precisely the opposite.)

If civil society reappears, it will have been due to two events. First, we will have taken seriously the coherent moral vision reflected in this bill and worked to lodge it deeply within our public imagination, using it as the framework for rebuilding institutions, renewing human dignity, and restoring a functional society. Second, we will have directed our politics to the task of mobilizing Americans to do what politicians cannot.

This bill issues a bold moral challenge to every American, and it should not be dismissed.

We must applaud the Coats initiative without raising a new round of false expectations. The legislation should be accompanied by the issuing of greater demands—yes, *demands*—on American citizens. We're reminded daily that they apparently want power back. Well, this means

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helping them recover an awareness of their own social duties. With its emphasis on localism, citizenship, and networks of civic engagement, this bill issues a bold moral challenge to every American, one that should not be dismissed.

The great question of our time is, "How do we renew, regenerate, re-energize civil society?" There is no compulsory program for civil society; it must be summoned forth. It will happen as we tap into the currents that have always renewed human society: religious revival, the quest for transcendence, moral order, and membership in community. This is important work, and work that every American citizen must embrace.

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David Boaz

Conservative Social Engineering

Senator Coats is to be commended for recognizing that devolution of power from the federal government to state governments is not a sufficient answer to America's problems. He correctly notes that many of our problems require "the recovery of families, neighborhoods, churches, schools, and voluntary associations . . . an influence that is literally 'civilizing.'" He rightly points out that "even if government directly undermined civil society, it cannot directly reconstruct it."

It is important, as Senator Coats argues, to demonstrate that faith in limited government is not just a negative attitude toward government; rather, it is rooted in an appreciation of the complicated network of institutions and associations that bind us together and provide us with much of what makes life worthwhile. Unfortunately, while the senator has correctly identified the problem—the decline of civil society—he doesn't seem to understand the reasons for that decline. Despite his rhetorical skepticism about the efficacy of government, his 19-bill legislative package, dubbed the Project for American Renewal, shows a faith in government almost as breathtaking as that of the architects of the Great Society.

First the good news: The centerpiece of Coats's plan is the Comprehensive Charity Reform Act, which would provide a $500-per-person tax credit for charitable contributions to groups helping the poor. That approach—also found in legislation introduced by Senator John Ashcroft and Representatives Jim Kolbe and Joseph Knollenberg—would shift charitable spending from government to millions of individuals and private organizations, and we can expect entirely exemplary results. Private charitable groups have a far better record than government agencies at getting people back on their feet, off welfare, and into stable work and family lives.

Now for the rest of the story. Coats says that the Project for American Renewal "is not a government plan to rebuild civil society" and that he favors "a radical form of devolution [that] would redistribute power directly to families, grassroots community organizations, and private and religious charities." But in practice he apparently believes that the federal government should tax American citizens, bring their money to Washington, and then dole it out to sensible state and local programs and responsible private institutions. Surely we have learned that government grants do not create strong, creative, vibrant private organizations. Rather, organizations that depend on government funding will have to follow government rules, will be unable to respond effectively to changing needs, and will get caught up in games of grantsmanship and bureaucratic empire-building.

Illustration by Kathryn Vierra

Moreover, nearly every one of his bills would further entangle the federal government in the institutions of civil society. Under the Role Model Academy Act, the federal government would "establish an innovative residential academy for at-risk youth." Under the Mentor Schools Act, the feds would provide grants to school districts wanting to develop and operate "same gender" schools. The Character Development Act would give school districts demonstration grants to work with community groups to develop mentoring programs. The Family Reconciliation Act would "provide additional federal funding . . . to implement a waiting period and pre-divorce counseling" for couples with children.

Coats shows a faith in government almost as breathtaking as that of the architects of the Great Society.

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Many of these bills are intended to address real problems, such as the effects of divorce on children and the terrible plight of children trapped in fatherless, crime-ridden, inner-city neighborhoods. But why is it appropriate or effective for the federal government to intrude into these problems? Surely local school districts should decide whether to build same-sex schools or residential academies for at-risk youth; and if the people of, say, Detroit decide that such options would make sense, any theory of responsible, accountable government would suggest that the local city council or school board both make that decision and raise the funds to carry it out.

Many of Coats's bills deal with symptoms—they try to reform public housing by setting aside units for married couples or to provide mentors for children without fathers—rather than dealing with the real problem, a welfare system that guarantees every teenager her choice of an abortion or an apartment if she gets pregnant. Some of the bills accept the federal Leviathan as a given and tinker with it—for instance, by requiring that every federal dollar spent on family planning be matched by another dollar spent on abstinence education and adoption services. Others just follow the failed liberal policy of handing out federal dollars for whatever Congress thinks is a good idea—school choice, restitution to crime victims, maternity homes, community crime-watch programs.

Surely we have learned that government grants do not create vibrant private organizations.

Over the past 60 years, we've watched the federal government intrude more and more deeply into our lives. We've seen well-intentioned government programs become corrupted by the ideologues and bureaucrats placed in charge. We've seen schools and charities get hooked on federal dollars. The nature of government doesn't change when it is charged with carrying out conservative social engineering rather than liberal social engineering.

Let's not forget that if, say, Coats's Maternity Shelter Act were implemented next year, Donna Shalala, the secretary of health and human services, would be charged with implementing it. She might appoint HUD assistant secretary Andrew Cuomo to run it, or maybe unemployed ex-congressman Mel Reynolds, or maybe just some Harvard professor who thinks single motherhood is a viable lifestyle option for poor young women. One reason conservatives shouldn't set up well-intentioned government programs is that they won't always be in power to run them.

In *Democracy in America*, Alexis de Tocqueville noted that "Americans of all ages, all conditions, and all dispositions constantly form associations . . . to give entertainments, to found seminaries, to build inns, to construct churches, to diffuse books, to send missionaries to the antipodes; in this manner they found hospitals, prisons, and schools."

So why have families, churches, and neighborhood associations atrophied? Government, especially federal government, is a big part of the reason. Programs from Social Security to school breakfasts make family members less dependent on each other. Bureaucratic welfare programs not only encourage unwed motherhood and fatherlessness, they usurp a traditional role of churches. Governments promise to feed babies, teach children about sex, build playgrounds, run museums, provide job training, rehabilitate drug and alcohol abusers, and care for the elderly. Little is left for mediating institutions.

How do we get back to the healthy civil society that Tocqueville observed? Here's a program: First, reaffirm the constitutional mandate of the Tenth Amendment. That means the federal government should withdraw from areas in which it has no powers under Article I, Section 8 of the Constitution.

Second, cut federal taxes—not by $500, but by a lot—so that people have more money to spend, both on their own families and on charitable efforts. An important side effect of a large tax cut might be that more families discover they can live on one income and choose to have one parent stay home to care for children.

Third, under the principle of subsidiarity, return all the functions of civil society to the lowest level at which they can be adequately performed—the individual, the family, the church, the neighborhood, the school, the community, if necessary the state government. Advocates of limited government need to emphasize that the absence of government is not nothing: it's individual initiative and creativity and the vast array of associations that make up civil society.

Despite all we've learned about the failure of government, Coats just doesn't seem to get it. His proposals reflect the Washington that Roosevelt built, the Washington where, if you think of a good idea, you create a government program.

But ultimately, you either believe in individual liberty, limited government, and free markets, or you end up inviting the coercive state into every nook and cranny of civil society.

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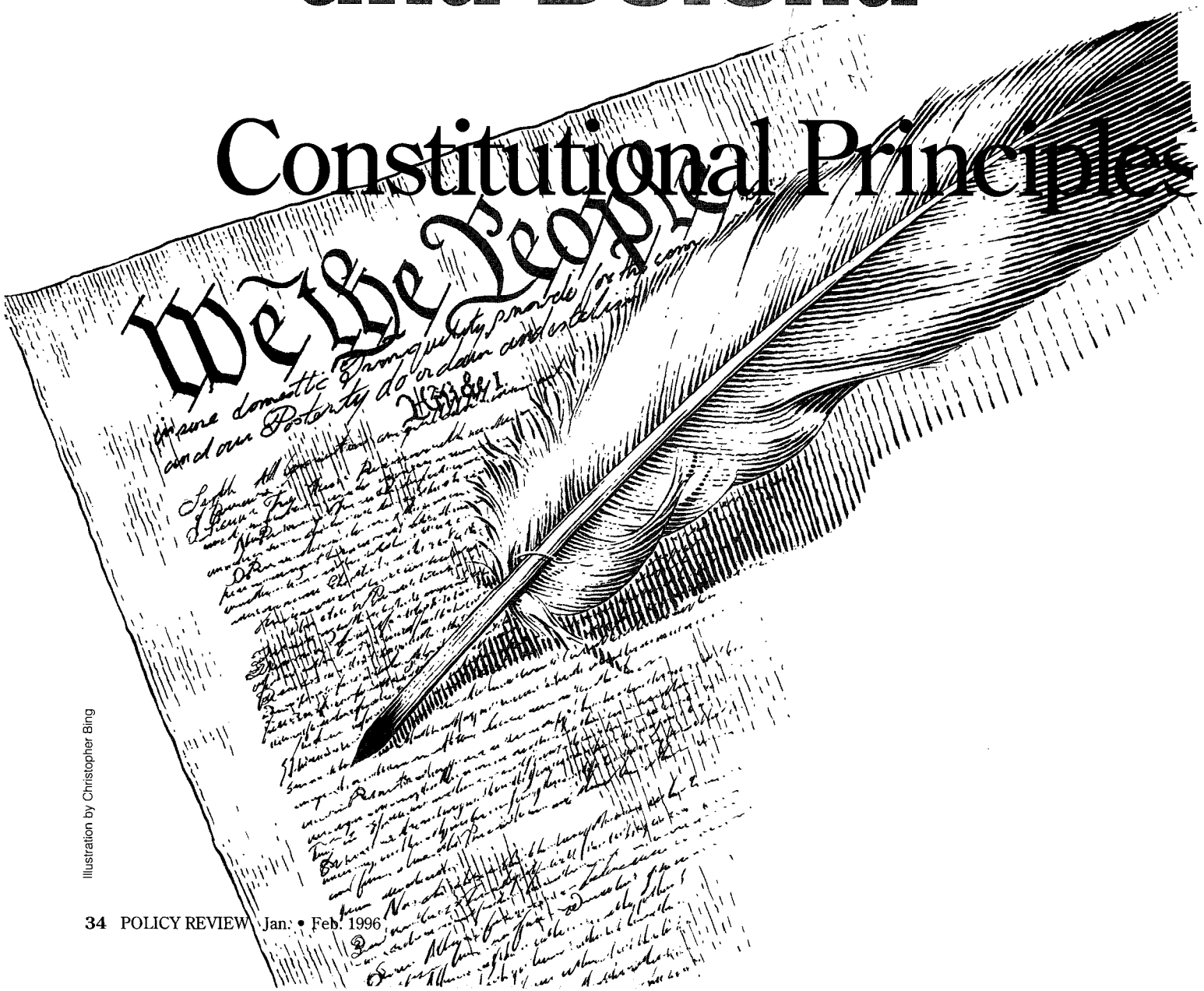
Preserve, Protect, and Defend

Constitutional Principles



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The first act of an incoming president is to "solemnly swear (or affirm)" that he will "preserve, protect, and defend the Constitution of the United States." In judging prospective candidates for the presidency, it is therefore important to examine whether they interpret the Constitution properly. To help voters with this determination, *Policy Review: The Journal of American Citizenship* asked the following question of the principal presidential candidates still running as of November 1995: "Which parts of the Constitution are commonly misinterpreted or underappreciated, and therefore deserve more emphasis in political discourse?" We publish responses from Senators Bob Dole, Phil Gramm, and Dick Lugar; Governor Lamar Alexander, and Representative Robert Dornan. (President Bill Clinton, Patrick Buchanan, Steve Forbes, and Alan Keyes were invited to participate but did not respond by our deadline.)

I Promise to Uphold

By

Bob Dole,

Phil Gramm,

Dick Lugar,

Lamar Alexander

&

Robert Dornan

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Senator Bob Dole

The Establishment Clause

Perhaps no provision of the Constitution is more misunderstood today than the First Amendment as it applies to religion.

The most basic misunderstanding is that the Establishment Clause of the First Amendment demands that any reference to religion must be absolutely cleansed from our schools and other public institutions. A second misunderstanding is that anyone who wants our public institutions to show more respect for the religious faith of the American people is really plotting to impose a particular religious viewpoint on those with different beliefs.

The First Amendment was not designed to strip all religious expression from public institutions.
—Bob Dole

A good part of the blame for this confusion lies with the Supreme Court of the United States. Years ago, the Court cast aside the original meaning of the First Amendment's Establishment Clause, which forbids the establishment of an official state religion or policies favoring one religion over another. In its place, the Court has erected a variety of confusing formulas—the *Lemon* test, the endorsement test, and others—that invoke the Constitution to support the proposition that religion must be purged from public life. Using such tests, the Supreme Court has banned the display of the Ten Commandments in any public school, even for educational purposes.

Unfortunately, misguided school administrators and teachers in some areas of the country have also wrongly embraced the idea that all references to religion in school settings are unconstitutional. Among the results of this misreading of the First Amendment:

- Teachers have been disciplined for wearing a cross as personal jewelry and for reading their own Bible during break periods.
- Two Texas third-graders were prohibited from wearing T-shirts depicting Jesus—though Power Rangers and Barney were just fine.
- Many communities have banned holiday crèche displays from public buildings and parks, even where they have been set up by private civic groups.
- Some schools have banned religious songs at choir concerts, as well as Christmas carols, and even Christmas trees.
- Students have been told they may not talk about God to classmates, and teachers have rejected religious artwork and reports on "my hero" where the students took the politically incorrect decision to write about Jesus.

In fact, studies by the National Institute of Education, People for the American Way, and Americans United for the Separation of Church and State have all confirmed that references to religion's role in American life and history have been systematically stripped from textbooks and curricula.

A fair reading of the historical record, however, shows that the Establishment Clause of the First Amendment was designed to protect religious liberty, not strip religious expression from all public institutions. As Professor Stephen Carter writes: "[T]he metaphorical separation of church and state originated in an effort to protect religion from the state, not the state from religion. The religion clauses of the First Amendment were crafted to permit maximum freedom to the religious."

After all, it was the first Congress—which passed the Bill of Rights and sent it for ratification to the states—that opened each day's session with a prayer led by a chaplain. This practice continues today. And 24 hours after it voted in favor of what is now the First Amendment, the Congress considered a resolution proclaiming a national day of thanksgiving. Indeed, if the Supreme Court itself really adhered to the view that the government must divorce itself from religion, then it would not open every one of its sessions with the appeal, "God save the United States and this Honorable Court."

There are some hopeful signs that the confusion surrounding the First Amendment's Establishment Clause is now beginning to clear up. Earlier this year, in a close, 5-to-4 decision, the Supreme Court rejected the argument that a public university can deny funding to a Christian student newspaper while financing student publications generally. It now appears that there are at least five justices who believe that religious expression is entitled to the same constitutional protection as other forms of expression.

To say that our public institutions should accommodate religious speech is not to say that the state should impose official prayers and punish students who do not participate. That's certainly not my position. Nor is it the position of Jay Sekulow, Pat Robertson's counsel at the American Center for Law and Justice, who has said, "We don't want to see a return to the pre-1962 situation, with a teacher leading a class in prayer."

At the same time, we simply do not accept the view that the Constitution commands that reli-

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gion be erased from whatever government touches. This view misreads the First Amendment and distorts history.

Senator Phil Gramm

The Takings Clause

When considering the most "underappreciated" element of the Constitution, anyone who sees what is going on everyday across this country as I do will respond immediately, "the Fifth Amendment." Well known for its protection against self-incrimination, the Fifth Amendment also contains a clause that protects private property, a building block of the American foundation. The Takings Clause is a quintessential constitutional shield, artfully and specifically rejecting the idea that government officials can seize property without compensation, regardless of what public good they intend to accomplish.

Unfortunately, we are facing a threat to the right to own property that our Founding Fathers could never have imagined. In America in 1995, two consenting adults can engage in any kind of consensual behavior with total constitutional protection—except owning private property and engaging in commerce and business. Over and over again—every day all across America—people are having their private property taken without compensation by way of the Endangered Species Act, wetlands regulation, and a host of other "regulatory takings." Property values are being reduced and land is effectively being taken to promote objectives that society considers good, but for which society refuses to pay. In fact, we have a president today whose interior secretary has suggested that private property may even be outdated in the modern world!

If government takes your property or restricts its use, you should be compensated. On this issue there can be no compromise. Private property is the foundation of our freedom, and I will defend it as vigorously as the freedom of speech and freedom of religion. As president, I will work hard to protect private-property rights and to bring the Fifth Amendment back into the family of the Bill of Rights on behalf of the people who own property, till the soil, and produce the goods and services in our country.

Private property is the foundation of our freedom, and I will defend it vigorously as president.
—Phil Gramm

The most pressing constitutional issue facing our nation, however, involves a matter not actually enshrined in that great document. I am referring to the need for a Balanced Budget Amendment. I introduced a Balanced Budget Amendment to the Constitution on my first day in Congress and have worked hard to pass it ever since. But, as surprising as it may be to some of my colleagues, this debate did not begin with my tenure in Congress.

Through the course of American history, we have amended our Constitution 27 times, but haven't yet had the political will to fix the only thing Thomas Jefferson found wrong with the document. Jefferson was this country's Minister to France during the writing of the Constitution, and when he was first shown the document, he had a proposal for one change. In a subsequent letter to John Taylor, Jefferson recorded that proposal:

"I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from the government the power of borrowing."

So the present controversy is not just a debate over a balanced budget amendment, but a debate on the Jefferson amendment. It is also a debate about the future of America and a potential seed of its destruction. We need a contract between the government and the people that binds Congress with a chain that cannot be broken. The genius of the Constitution is that it rules out of bounds actions that the people have determined that they do not want Congress to take. Read the first words from the Bill of Rights in our Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for redress of grievances."

The American people were clear about the grievances they wanted redressed in November 1994. In the most decisive election since 1932, the people said to their government, "Stop the taxing. Stop the spending. Stop the regulating." To do that, they supported the Contract With America, a key element of which is a balanced budget amendment. But we haven't given the people what they want yet. We have not fulfilled a promise we made.

The Constitution was written because people did not trust the government. With Congress's failure to honor its promises, act responsibly, and be accountable for its actions, there is much

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for the people not to trust.

Senator Dick Lugar

Enumerated Powers

Virtually every clause in the Constitution has been used—even tortured—to justify a variety of causes. What deserves more emphasis in political discourse, however, is the spirit of what the Constitution set out to do generally: to assign to the federal government specific tasks and the powers to carry them out, and to reserve all else to the states or the people. This intent is most clearly articulated in the Ninth and Tenth Amendments of the Constitution.

The aim of the Constitution's Framers was clear enough: to create a strong, but limited, national government. Having first decided to omit a list of specific limits (or "negatives," as the Framers called them) on the national government's authority, the Framers then agreed in principle to accept them as the first amendments to the new Constitution. The first eight amendments impose specific limits on the power of government, both at the national and state levels. All serve the same end: restricting the scope and power of government. Lest there be any ambiguity, the Ninth Amendment makes clear the presumption that rights belong to the people: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." And the Tenth Amendment makes clear the boundaries that this places on the national government: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

In a way, it might be said that these provisions were not so much "amendments" to the Constitution—in the sense of replacing existing provisions or adding new features—as clarifications of the Constitution's underlying intent. The Framers were no libertarians; they set out to create a strong national government with powers sufficiently robust to accomplish its functions. This is especially true in the realm of national security, where powers are largely reserved to the national government. That which the federal government should do, the Framers believed, it should do well.

Limiting the scope of the federal government would raise its standing with the public immeasurably.
—Dick Lugar

But that which the federal government should not do and cannot do well, it should not do at all. The modern departure from this philosophy is largely responsible for the lack of confidence that Americans now express about their government. As the national government has expanded its reach into virtually every sphere of Americans' lives, it should not be surprising that the volatility of voter preferences and discontent with government have increased. The passions of individuals and groups are inflamed on all sides of issues that are not properly within the sphere of the federal government.

Take the recent debate over funding formulas and federal "strings" on welfare block grants. It is well and good that states and localities should administer their own social welfare programs. They are closer to the people and, on the whole, they will do a better job than the federal government. This is surely consistent with the intent of the Framers.

But why should the federal government be the tax collector for the states' programs? Why, for example, should citizens of Iowa or New Hampshire or any other state send their money to Washington, only to have it returned—after bitter fights over allocation formulas and conditions—to run their own programs? Wouldn't it make more sense for states to raise the funds to pay for the programs they establish?

In this regard, I have proposed to eliminate the federal income tax (and the 16th Amendment, which makes it possible) and replace it with a national sales tax collected by the states. National and state sales taxes can coexist perfectly well and, after a brief time, are likely to come into conformity with one another. Once this occurs, the federal government could reduce its sales tax, and allow the states to raise the funds for their own programs. Gone would be monetary transfers to Washington; gone would be formula fights; and gone would be federal strings. And limited federal government would be here to stay.

The Ninth and Tenth Amendments to the Constitution offer much needed guidance. If we were to ask whether each new proposed program, as well as many existing programs, represent legitimate tasks of the federal government, our answer would often be "no," and we could start to fashion a more efficient federal government. We would also discover that properly limiting federal government would raise its public standing commensurately.

In speaking of the amendment process, James Madison says in *The Federalist* No.49, "As every appeal to the people would carry an impli-

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cation of some defect in the government, frequent appeals would, in great measure, deprive the government of that veneration which time bestows on everything." A society that appeals to its national government to attend to all things—including those for which it is not suited—will find that that same government loses the veneration of the people in political discourse. That cannot be the goal of true friends of limited government.

Lamar Alexander

Presidential Powers

One section of our Constitution distinguishes the United States from virtually all other countries: Article II, the description of the role and powers of the president. The president is the only figure in our government whose oath of office is actually written in the Constitution. He is the only person who is elected by and represents all of the people. Yet, today, it is the president whose power and authority is most in decline.

The reasons for the decline are obvious. Even at the outset of his administration, when Bill Clinton's own party controlled both Houses of Congress, nearly all his actions undermined the strength of the presidency. He has retreated from campaign promises (the middle-class tax cut, a balanced budget), sown disaffection among his own supporters (gays in the military, health-care reform), dragged the White House into embarrassing scandals (Travelgate, Whitewater), and zigged and zagged on foreign policy (Somalia, Haiti, Bosnia).

But the presidency has also suffered from the rise of the legislative branch, especially since the elections of November 1994. This development is unusual. While the Congress has often had energetic leaders, it is rare in the modern era to see the national agenda set by the legislative branch rather than the executive.

Setting the national agenda may be the single most important function of a president. A strong president is someone who can focus on the two or three most urgent needs facing our country, develop a strategy to deal with them, and then convince at least half the country he's right. President Carter, by contrast, tried to involve himself in virtually every policy matter. President Clinton has done the same. The result has been an unfocused, and consequently weak, presidency. I am convinced that much of Ronald Reagan's effectiveness as president came from having three clear goals—lower taxes, less government, and strong defense—and spending all eight years of his presidency pursuing them.

A careful reading of the Constitution shows that Article II provides the president with the tools to set the national agenda. He is the commander in chief and he is responsible for the conduct of the nation's foreign affairs. He can pick his own cabinet and appoint the chief officers of the government. He can select candidates for the federal bench. Through the careful use of the veto, he can reject whatever competing ideas the Congress tries to impose on the nation. All of these instruments of executive power can make for a strong president who helps chart the nation's course.

Again, President Clinton provides us with the best example of how the misuse of these powers leads to a weak executive. President Clinton's role as both commander-in-chief and the executive responsible for the conduct of foreign policy has done nothing to persuade America that there is a steady hand on the tiller. The result has been a Congress all-too-eager to usurp the president's prerogative in making foreign policy, whether it is in trade matters or the deployment of troops in Bosnia. A strong executive, as the Constitution implies, must make foreign policy, and resist congressional encroachments.

Our current situation is often ascribed to President Clinton's "inexperience" in foreign policy matters. Of course, it is not unusual for a president to arrive at the White House without a detailed knowledge of foreign affairs. But it is alarming to have a president who apparently doesn't know anyone else who does. Here we see President Clinton's ineffectual use of the power of appointment. The bureaucratic in-fighting among the State Department, Pentagon, and National Security Council personnel at the start of the Clinton presidency was a sign of the chief executive's inability to put together a first-class team that could work together. Joycelyn Elders and the series of bungled nominations at the Justice Department further eroded our confidence in the president's judgment. More recently, President Clinton's threats to veto a balanced budget amendment and the Republican Medicare plan seemed like pure political posturing rather than prudent use of executive power. These actions weakened both the president and the office of the presidency.

To be sure, there are many other aspects of our Constitution that receive too little notice: the Ninth and Tenth Amendments; the 22nd Amendment that created term limits for the president (the precedent for Congressional term limits); and the two alcohol amendments that tried to impose national legislation where local ordinances had proven more effective.

But today we are on the brink of electing the first president of the next century. It would be worthwhile for all students of the Constitution—

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not to mention all candidates for president—to reexamine Article II. Used the way our Founders intended, Article II will help a strong, agenda-setting president committed to a limited central government achieve his goals.

Representative Robert K. Dornan

"Government by Judiciary"

James Madison wrote that if "the sense in which the Constitution was accepted and ratified by the Nation . . . be not the guide in expounding it, there can be no security for a consistent and stable [government], more than for a faithful exercise of its powers." I couldn't agree more.

Seventy years of liberal activism, defined as opposing Madison's sentiment, have undone the original intent of the Framers. But no single point of judicial activism has done more harm to our nation than the doctrine of "incorporation" in the Fourteenth Amendment of the Bill of Rights. In one fell swoop, the majesty and wisdom of the Tenth Amendment—not to mention every doctrine of liberty upon which this nation of states was founded—came crashing down.

Our national penitence for the gross and evil sin of slavery has taken its toll on our every public institution. We fought a civil war, the bloodiest of all American wars, in large part to shed the physical chains of slavery protected by states' rights. We could have used surgically precise remedies to eventually bring closure to this historic tragedy without savaging the very liberties we insisted we were defending; instead we ignored the wisdom of our Founding Fathers and attempted a solution—government by judiciary—that fell way off the mark. In our earnest attempt to stop injustice from hiding behind the shield of states' rights, we threw the baby out with the bathwater. And, politics and power being what they are, "absorption" gave way to "incorporation."

No single act of judicial activism has done more harm than the doctrine of "incorporation."
—Robert Dornan

Government by judiciary is perhaps the severest price our nation has paid for slavery. Through "incorporation" in the Fourteenth Amendment, the voice of the people (Congress and state and local governments) is patronized by "benevolent" judges, manipulated by strident ideologues, and mortgaged for generations by monied special interests. If the courts are, for all practical purposes, a "continuous constitutional convention," then how does our democracy differ from past oligarchies?

It is no small irony that this abrogation of federalism, our ultimate response to slavery, has brought on the second crushing evil to beset our nation: abortion. Only a judiciary that felt it had free rein to invoke "penumbras" within our Constitution could be so sick with power as to legalize mass extermination of our most innocent and defenseless citizens, our pre-born. Millions of pre-born children have been cruelly and brutally slaughtered—a toll more horrific than any other holocaust—because a simple majority of only nine men, ruling on behalf of 50 separate state constitutions, held that the Constitution, somewhere and somehow, contains a paramount right to privacy . . . and that "incorporation" dictates that this "penumbra" apply to the states.

Every great social question in which the U.S. Supreme Court has weighed its opinion is the spawn of incorporation. Again, by what force of irony have our earnest attempts to rectify the problem of slavery ultimately given birth, not only to an even greater national sin in abortion but to a brood of contentious national issues that federalism was designed to pacify?

Consider, for instance, the charged issue of prayer in public schools. Any person with half a brain recognizes the insurmountable social problem of maintaining one collective way of publicly expressing our national adherence to the benevolent hand of God. And yet, precisely in response to public prayer—contention that is completely natural and expected—a simple majority of only nine unelected rulers told all of us that because one collective way of public prayer is not compatible with national cohesion, then no public prayer will be allowed. The doctrine of incorporation gives the Court this prerogative to rule in this manner.

Every thinking American schooled in our national heritage—all except a majority of the robed nine—knows the intrinsic secular benefit from publicly acknowledging our Creator. Allowing and even encouraging public-school children to formally and vocally acknowledge their Creator impresses upon each of them a fundamental doctrine of Americanism—that inalienable rights come from a Creator and not from man.

Hence, these rights cannot be justifiably taken from them by men and their governments. How else can we more effectively impress this powerful message on the minds of rising generations? Incorporation states that we need not even try.

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Clinton's AmeriCorps Values

How the President Misunderstands Citizenship

By John Walters

The greatest achievement of the Clinton presidency has been to incorporate a message of personal responsibility and citizenship into the rhetoric of the Democratic Party. On the campaign trail in 1992, candidate Bill Clinton stressed "individual responsibility," sounding at times truer to conservative principles than George Bush. Clinton spoke eloquently of his efforts in Arkansas to preserve "the things we cherish and honor most about our way of life—solid, middle-class values of work, faith, family, individual responsibility, and community." As president, he frequently invokes these Reaganesque themes.

But his conception of citizenship is deeply flawed. Clinton has used the rhetoric of citizenship to justify his efforts to expand the welfare state. He has contradicted his emphasis on personal responsibility by working to preserve bureaucratic federal control of social programs. The revival of citizenship requires a transfer of power from government to families, voluntary associations, and communities. The president has instead sought to reinvigorate civic life by trying to relegitimize government.

At first blush, President Clinton's language of citizenship seems a sharp departure from the McGovernite ideology that has dominated American liberalism for the past 25 years. This ideology sees crime, drug abuse, family breakdown, and other social crises not primarily as deviant individual behavior but as social pathologies caused by underlying inequities. Moreover, in the McGovernite view, these pathologies are so complicated that traditional institutions such as churches and voluntary associations cannot possibly address them. Only policy specialists trained in the delivery of social services—therapeutic-state elites—are up to the task. The growth of McGovernism was accompanied by a massive transfer of power and resources to government. City halls, state capitals, and Washington, D.C., were given greater power to administer the programs that, liberals promised, would solve America's social crises.

By the mid-1980s, it had become apparent, even to Democrats, that liberalism's faith in the social-welfare state was misplaced. A growing body of research indicated that the expanded social-welfare bureaucracy, more often than not, worsened rather than relieved the problems it

Illustration by David Clark

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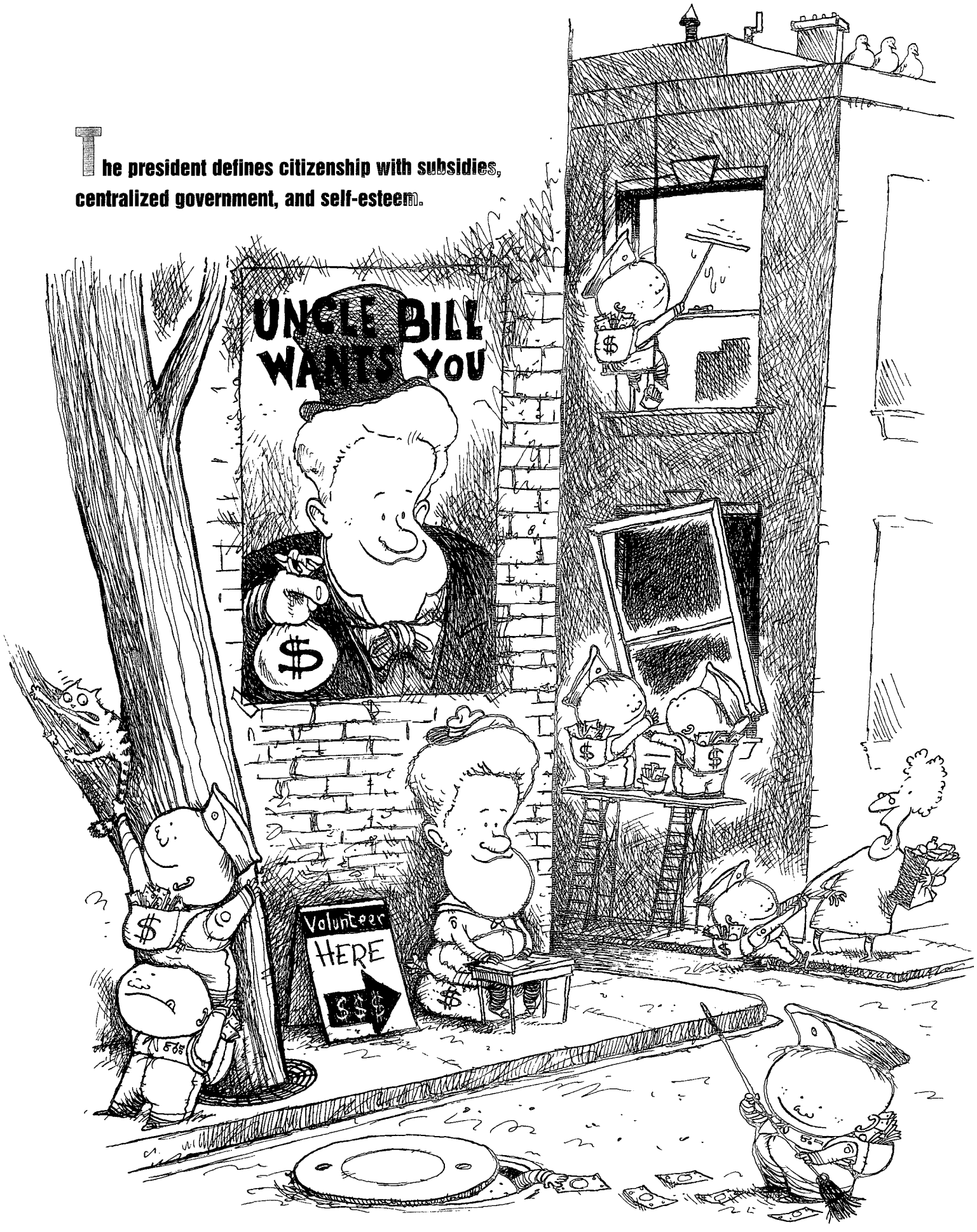
The president defines citizenship with subsidies, centralized government, and self-esteem.



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tried to solve. These policy failures also had clear political consequences. The Democratic Party began to lose traditional blue-collar voters, its former bedrock of support, who had become ever more frustrated by the mounting failures and rising costs of the welfare state. The liberal principles that undergirded the McGovernite approach—especially the effort to blame society for failures of personal responsibility—were at odds with the values of middle-class Americans. After Walter Mondale's landslide 1984 loss to Ronald Reagan, Democratic activists such as then-Governor Bill Clinton of Arkansas, then-Governor Charles Robb of Virginia, and Senator Sam Nunn of Georgia, banded together through the Democratic Leadership Council to bring Democrats back into the mainstream.

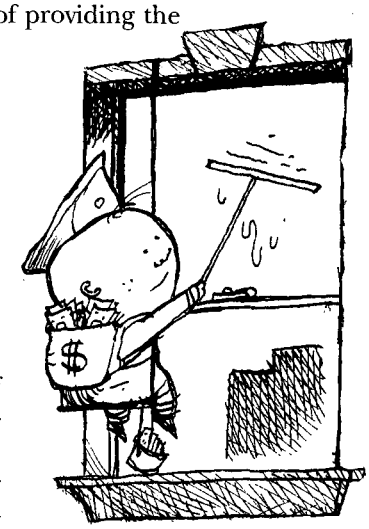
They called themselves "New Democrats," and much of their intellectual inspiration came from a school of political theory called communitarianism. Communitarians argued that man fundamentally is not a rights-bearing, property-seeking individual, but a social being who flourishes in stable associations and communities. Communitarians criticized both liberals for placing too much faith in bureaucracy and conservatives for stressing the power of the marketplace; they claimed that bureaucracy and the marketplace together had displaced the community as the locus of American life.

In the communitarians' view, 19th-century America offered the ideal model of community, with an active citizenry working locally to address shared concerns. Late 20th-century America, however, had witnessed the growth of big government and big business, which served to isolate and atomize Americans. The weakening of families and local community institutions, the communitarians warned, was beginning to erode fundamental elements of the American way of life.

According to the communitarians, the growth of bureaucracy, the instability of marketplace relationships, and an explosion of self-interested behavior—increasing litigiousness is just one indicator—all signaled a decline of the responsibility to community that is the essence of citizenship. Communitarians reminded us that it is civil society, not the marketplace or the bureaucracy, in which Americans interact and flourish. And it is civil society, they proclaimed, in which America's increasingly inaudible moral voice lies, for here is where the institutions that shape moral character are to be formed.

The Clinton Promise

New Democrats clearly were on to something. Republicans had only paid lip service to the importance of civic involvement and the essential role of local and nongovernmental institutions. President Ford's Office of Public Liaison, President Reagan's Private Sector Initiative, and President Bush's Points of Light program showed that Republicans were aware of the problem, but these programs were severely limited in scope. They fell far short of providing the cornerstones of a domestic policy designed to redefine the relationship between citizens and the central government.



Eyeing the presidency in the early 1990s, Governor Clinton pushed beyond these Republican initiatives by drawing on the ideas of the communitarian movement. He emphasized responsibility in his presidential campaign, and the rhetoric of community and citizenship resonated with mainstream voters. On election night in 1992, President-elect Clinton called for a New Patriotism, in which Americans were "interested not just in getting, but in giving; not just in placing blame, but in assuming responsibility; not just in looking out for yourselves, but in looking out for others, too." On Inauguration Day, President Clinton declared, "It is time to break the bad habit of expecting something for nothing from our government or from each other. Let us all take more responsibility, not only for ourselves and our families, but for our communities and our country."

Big Government Redux

Thus the Clinton administration began with an oft-expressed aversion to the mentality of entitlement and a keen recognition of the danger to community posed by big government. It soon became clear, however, that the policies of his administration bore no relation to the rhetoric of his campaign and inauguration. Consider the debacle of health-care reform, the would-be centerpiece of the president's domestic-policy legacy. The attempt to place nearly 15 percent of the private economy into federal stewardship was clearly at odds with a new ethic of personal responsibility.

After the conservative victory in the 1994 elections, the president and his advisers realized that the health-care debate had unintentionally provoked anger against big government. With his familiar pattern of rhetorical retrenchment and redirection, the president tried to coopt this anger by returning to the language of citizenship. In his 1995 State of the Union address, the president admitted that "we need to get government closer to the people it's meant to serve. . . . Taking power away from federal bureaucracies

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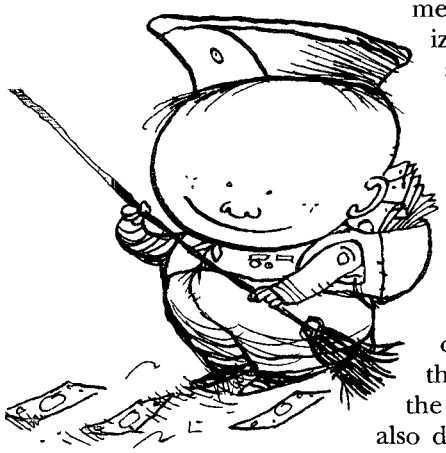
and giving it back to communities and individuals is something everyone should be able to be for."

Notwithstanding this conservative tone, the president's new approach did not signal the final surrender of big-government liberalism. Rather, Clinton sought to recast big-government programs as instruments of individual and community empowerment. If conservatives believe that government must be limited in order to revitalize civil society, the president argued that government can be expanded or reinvented to serve as a "user-friendly" tool for citizens and communities. No Clinton initiative has epitomized this "bureaucratic populist" approach more than AmeriCorps, the president's national-service program. And it is no coincidence that in his 1995 State of the Union, the President declared AmeriCorps to be "citizenship at its best."

Touted by the administration as a "Republican idea," AmeriCorps at first struck many as precisely the type of program needed to revitalize civil society. The president promised that the program would assist nonprofit organizations working in local communities. In addition to promoting community service, AmeriCorps would combat the entitlement mindset nourished by the federal student-loan program by encouraging students to perform community service in return for financial aid. Most significantly, the president claimed that AmeriCorps would prove that government could act as a partner with citizens, using its resources to leverage additional contributions from the private sector.



It quickly became apparent that in the AmeriCorps program, government overshadowed its "partners." More than one-fourth of AmeriCorps volunteers were placed in federal, state, or local government agencies—where they would reinforce the bureaucratic state, not rebuild the voluntary sector. The program also drew criticism for channeling tax dollars to liberal advocacy groups and questionable activities, such as sex-education training and "self-esteem" enhancement projects. In retrospect, it is not surprising that such activities arose in a government-subsidized program; robust community groups that enjoy genuine grass-roots support do not need to seek federal grants. And the organizations that do seek out government support are generally those with their own in-house bureaucracies, accustomed to receiving federal social-welfare grants and contracts.

Finally, despite the president's statement that government could be used to leverage private resources, the General Accounting Office's audit of the first year of AmeriCorps activities found that only 12 percent of AmeriCorps's funds came from nongovernmental sources. The program's supposed ability to "leverage" private funds did not exist; if anything, AmeriCorps compounded the entitlement mentality that it sought to combat. Why would citizens support organizations that already received federal aid? In fact, public financing of AmeriCorps often led organizations to substitute the "blessing" of a government grant for the hard work of gaining and sustaining local support.

AmeriCorps reveals the administration's fundamental misreading of the components of healthy citizenship. The program provides government subsidies for voluntary activity at the federal, state, and local levels. By so doing, it conflates volunteering—which nearly 90 million Americans regularly do—with a federal-government jobs program run by a centralized bureaucracy. It is, in essence, a Great Society-style program trying to pass as a plan to reinvigorate citizenship and heal communities. But its very premise—using federal resources to promote voluntarism—contradicts the principle of self-government that lies at the heart of citizenship. AmeriCorps blurs the line between the problems and needs best addressed by individuals, voluntary associations, and localities and those best addressed by the federal government. Instead, it seems to suggest that social problems are the responsibility of the central government, and the federal bureaucracy must direct and improve local solutions.

The School Lunch Debate

For all the flaws of AmeriCorps, the administration's shrill opposition to moves to scale back the federal bureaucracy is an even clearer example of how the president misunderstood the relationship between big government and citizenship. The Democrats' success in slowing the passage of the Contract With America through the House of Representatives in early 1995 reached its apogee during the debate over Republican efforts to convert federal funds for school lunches into block grants to the states. The president's rhetoric—once again contradicting his earlier paeans to citizenship—contributed greatly to his success.

During the public debate, the president and First Lady Hillary Rodham Clinton challenged conservative reformers with an unqualified defense of the welfare state, evoking images of children starving because of Republican reforms. Rather than attacking the entitlement mentality responsible for unsustainable federal social-wel-

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fare spending, the administration fought desperately to save the status quo. The welfare bureaucracy was portrayed as a selfless agent of good. Ignoring successful local and privately run lunch programs, Clinton argued that the bureaucratic state—described almost literally as a national nanny—was the only entity that could be relied on to feed hungry schoolchildren.

They quickly expanded their criticism to include all aspects of the Republican drive to roll back the welfare state. In a defense of welfare spending in the *Los Angeles Times* (March 14, 1995), Mrs. Clinton called conservative welfare reform a "mean-spirited attack on nearly every government program designed to help poor and disadvantaged children," and concluded, "There is no such thing as other people's children." Implicit in Mrs. Clinton's defense of big-government liberalism was the belief that individual responsibility for one's own children is fundamentally inadequate—and the only responsible adult is the nanny-state. It followed, then, that Americans could not be trusted with the broader, self-governing responsibilities of citizenship: to make decisions for themselves, their families, or their communities. The solution, the Clintons argued, was government *in loco parentis*, to save our children, the elderly, the poor, and perhaps not coincidentally, to protect the political interests of the welfare state.

The Clinton view of citizenship is thus based on universalized interests and responsibilities, not genuine familial and social attachments. By arguing that "there is no such thing as other people's children," Mrs. Clinton denigrates the motivating force that flows from obligation to family and loyalty to good friends and conscientious neighbors. Self-interest, a heightened attachment to our own property and loved ones, is essential to citizenship; through self-interest, we learn to be responsible for ourselves and our families, and to work with others to improve our communities. A detached altruism that makes everyone's children our own undermines the fixing of parental responsibility for nurturing and raising each child. This is communitarianism taken to extremes.

The president's ill-fated defense of the school-lunch program, moreover, exposed his shallow commitment to returning power, responsibility, and resources to local officials. If we are truly to revitalize citizenship, Americans must be allowed to take more responsibility for public safety, education, and assistance to the poor. And restoring this responsibility to citizens and communities will almost certainly produce many different paths to sustaining healthy family and community life and to helping the disadvantaged. With such efforts, the bureaucratic state's platform of regulatory and entitlement-based equity will be broken. Individual and community choices will have much greater responsibility for the lives of citizens. Circumstances will *not* be better everywhere, but they will be better where citizens work to make them better.

President Clinton's communitarian-inspired vision lacks a credible model for rebuilding America's communities and voluntary associations. These institutions have been weakened by overreaching government and the deeply rooted liberal dogmas that created and sustain such government. Citizen apathy—and citizen anger—are the result, not the cause, of these forces.

To revitalize citizenship, Americans should forge a consensus on a new separation of powers—getting the federal government and even large state and local bureaucracies out of those areas of public life that citizens can and should direct themselves. The Clinton administration has failed to distinguish between the problems that Americans are responsible for solving as individuals and those, far more limited in scope, that properly involve government. By restoring authority and resources to citizens and the institutions they control directly, we will also restore the central place of middle-class values in our community and political life.

The Clinton administration's use of federal resources to promote voluntarism and its unwillingness to trust states, localities, and parents in the fight over school lunches reflect a larger problem: the inability of welfare-state liberalism to recognize its proper limits. More than 150 years ago, Alexis de Tocqueville noted:

Clinton doesn't trust Americans to make decisions for themselves, their families or their communities.

"Local institutions are to liberty what primary schools are to science; they put it within the people's reach; they teach people to appreciate its peaceful enjoyment and accustom them to make use of it. Without local institutions, a nation may give itself a free government, but it does not have the spirit of liberty."

Liberty, members of the citizenship movement must keep in mind, entails both failure and success. The risks are great—but so is the opportunity to teach the self-reliance and independence that is the essence of the American character.

John Walters *is the president of the New Citizenship Project, in Washington, D.C. For more information about the New Citizenship Project, call 202-822-8333.*

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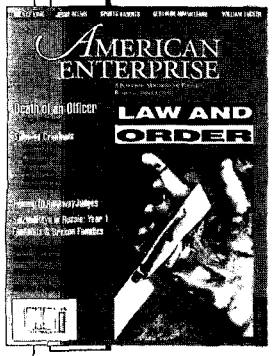

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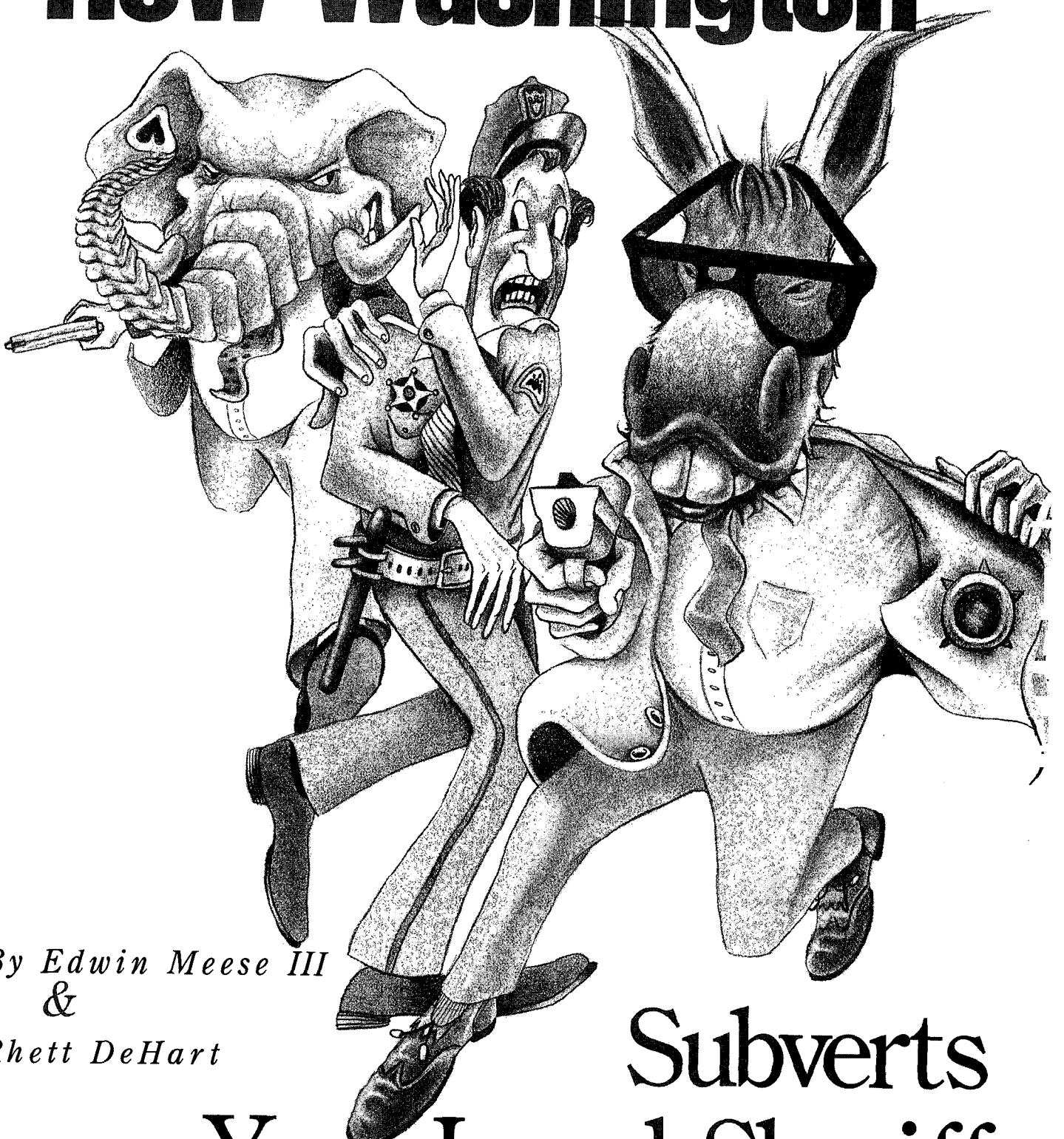
How Washington Subverts Your Local Sheriff



By Edwin Meese III
&
Rhett DeHart

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In recent years, two tragic events have fundamentally changed the way many Americans view federal law-enforcement agencies and jeopardized public confidence in the federal government itself. In August 1992, U.S. marshals sought to arrest white separatist Randy Weaver at his remote mountain cabin in Ruby Ridge, Idaho. A confrontation resulted in the death of a federal marshal and Weaver's 14-year-old son. Special FBI teams were called in, and during the siege that followed, Weaver's wife was killed by an FBI sniper's bullet. At his subsequent trial, Weaver was acquitted of all but the most minor offenses.

Since Ruby Ridge, federal law enforcement as a whole has come under intense congressional and media scrutiny. Even those normally supportive of the police ask: Should the federal government have risked this loss of life and expended $10 million to capture a hermit whose only alleged crime was selling two sawed-off shotguns to an undercover federal agent?

In February 1993, a 51-day standoff first erupted when agents of the Bureau of Alcohol, Tobacco, and Firearms (BATF) tried to apprehend the leaders of the Branch Davidian cult at their compound in Waco, Texas, for the violation of federal gun laws. Four BATF agents lost their lives in the initial foray, and the subsequent siege ended in the deaths of 85 cult members, killed either by gunfire or by a suicidal fire that was ignited when FBI agents stormed the compound. Again, conflicting versions of events led to congressional hearings as well as public and media criticism.

The rush to federalize crime ignores historic safeguards against an overbearing police state.

Both these tragedies are the direct result of federal jurisdiction in crimes once considered wholly within the province of state and local police agencies. In neither incident did the underlying crime involve interstate activity or pose a threat to the federal government. Without the federalization of laws regulating firearms, a matter left to the states during most of our country's history, neither the BATF or FBI would have had jurisdiction at Ruby Ridge and Waco, and any law-enforcement actions would have been handled locally, if at all.

3,000 Federal Crimes

"We federalize everything that walks, talks, and moves," said Senator Joe Biden, Democratic chairman of the Senate Judiciary Committee from 1986 to 1994.

Unfortunately, this is not much of an exaggeration: Today there are more than 3,000 federal crimes on the books. Hardly any crime, no matter how local in nature, is beyond the jurisdiction of federal criminal authorities. Federal crimes now range from serious but purely local crimes like carjacking and drug dealing to trivial crimes like disrupting a rodeo. President Clinton's 1994 crime bill alone created two dozen new federal crimes. The bill federalized such crimes as drive-by shootings, possession of a handgun near a school, possession of a handgun by a juvenile, embezzlement from an insurance company, theft of "major artwork," and murder of a state official assisting a federal law-enforcement agent. Although many of these crimes pose a real threat to public safety, they are already outlawed by the states and need not be duplicated in the federal criminal code.

The federal judiciary, for its part, has imposed national standards on all state criminal proceedings. In cases like *Mapp v. Ohio* and *Miranda v. Arizona*, the Supreme Court overruled state law and forced every state to exclude evidence under certain conditions. This massive federalization of the rules of evidence greatly increased the rights of criminal defendants and further burdened law-enforcement agencies throughout the nation. In addition, the federal courts have virtually taken over such vital state functions as the operation of prisons and mental hospitals. By 1993, the federal courts operated 80 percent of all state prison systems in America. Amazingly, federal judges determine virtually every detail of these prisons, including standards for food and clothing, grievance procedures, and cell space per convict.

The nationalization of criminal law has included the criminalization of environmental and regulatory laws. Historically, these statutes contained only civil penalties and were often handled in an administrative rather than judicial forum. Environmental statutes like the Clean Air Act and the Resource Conservation and Recovery Act, however, created an array of new federal crimes. Most of these federalized environmental offenses occur entirely within a state and bear no connection to the federal govern-

Illustration by Chris Cahill

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ment. Worse yet, these statutes are often so vague and complicated that some "defendants" did not even realize that they had violated the law. Consider this: From our nation's founding until 1982, the federal government criminally prosecuted only 25 environmental cases. Due to the recent trend toward federalization, the national government since 1982 has prosecuted and won more than 1,000 environmental cases. In 1993 alone, 135 defendants were convicted and sentenced to prison for federal environmental crimes.

The responsibility for the federalization of crime falls upon both political parties and all three branches of government. Although Democrats like Representative Charles Schumer and Senator Biden are among the most zealous advocates of the federalization of crime, Republicans must also share the blame. Two of the largest increases in federal criminal jurisdiction, the Controlled Substances Act of 1970 and the Clean Water Act of 1972, were products of the Nixon administration. In one fell swoop, Nixon's Controlled Substances Act gave the federal government jurisdiction over every drug crime in America, no matter how small or intrastate in scope. More recently, Republican senator Alfonse D'Amato proposed legislation that would have federalized virtually any crime committed in America if a gun was involved. To justify such a sweeping expansion of federal authority, D'Amato stated, "The national epidemic of gun-related homicides requires increased federal attention, expanded federal jurisdiction, and increased use of federal law-enforcement resources."

Some of the usual defenders of constitutional limitations on the federal government seem to lose perspective when crime is the issue. Senator Orrin Hatch of Utah, one of the Senate's most influential conservatives, has also expressed support for the federalization of crime: "I sincerely believe that all of us in the federal government must do more to fight violent crime. The security of persons and property must be a priority of every level of government, including the federal government." Senator Phil Gramm, an articulate proponent of limited government, once proclaimed: "When you have violent predators, the public doesn't care whether the local police or the FBI apprehends them. They want something done." Such statements superficially address the public's concern over crime, but they ignore the profound constitutional and practical implications of this dangerous course, as well as the potential threat to individual liberty.

Clearly, a major cause of the federalization of criminal law is the desire of some members of Congress to appear tough on crime, though they know well that crime is fought most effectively at the local level. Others, however, offer more legitimate reasons for extending federal jurisdiction. They note that prosecuting defendants in federal court leads to longer prison terms, due to the federal sentencing guidelines enacted during the Reagan administration. Inmates convicted in federal court serve on average 85 percent of their sentences, while inmates convicted in state courts only serve about 40 percent of their terms.

Understandably, public officials who are tough on crime choose the most advantageous forum to keep criminals off the street. These longer federal sentences are one of the driving forces behind the federalization of crime. For example, the new federal "three strikes" law recently snared its first defendant. On August 14, 1995, Thomas Farmer was convicted of armed robbery and sentenced to life in prison plus five years. "If Farmer had been convicted in state court, he would have been eligible for parole in two-and-a-half years and would probably have served about eight years in prison," said U.S. Attorney Stephen J. Rapp. "But because of the crime bill, we were able to remove him from society for the rest of his life."

Another claimed advantage to the federalization of crime is the availability of the death penalty. If a criminal is convicted of a federal capital offense, he can be sentenced to death even if the crime occurred in a state that does not allow capital punishment. One impetus for D'Amato's bill to authorize the federal death penalty for all murders committed with a firearm was New York governor Mario Cuomo's annual veto of a capital punishment bill. This federal legislation would have enabled proponents of capital punishment in the 13 states without it to circumvent the state political process by simply prosecuting the defendant in federal court.

These arguments for a greater federal role in law enforcement, while initially attractive, on closer inspection fail to justify such a massive federal usurpation of the police power. If longer sentences and the availability of the death penalty are needed to preserve public safety, state governments are equally capable of enacting such measures to the extent their constituents so desire. Indeed, some states had already adopted "three strikes" laws for habitual offenders before this policy became federal law. In New York, voters in 1994 elected a new governor who favors the death penalty.

The Case Against Federalization

Perhaps the most compelling reason to oppose nationalizing crime is that it contradicts constitutional principles. The drafters of the

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Constitution clearly intended the states to bear responsibility for public safety. The Constitution gave Congress jurisdiction over only three crimes: treason, counterfeiting, and piracy on the high seas and offenses against the law of nations.

As he wrote in *The Federalist* No. 45, James Madison envisioned little or no role for the federal government in law enforcement:

"The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce. . . . The powers reserved to the several states will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and property of the people, and the internal order, improvement, and prosperity of the state."

Even Alexander Hamilton, the greatest proponent in his day of a strong federal government, saw law enforcement as a state and local concern. If Hamilton were alive today, he would be appalled at the use of the police power by federal agencies. To reassure the states that the federal government would not usurp state sovereignty, Hamilton wrote in *The Federalist* No. 17 that law enforcement would be the responsibility of the states:

"There is one transcendent advantage belonging to the province of the state governments, which alone suffices to place the matter in a clear and satisfactory light. I mean the ordinary administration of criminal and civil justice."

Unfortunately, the damage caused by the federalization of crime is not merely abstract or academic. The more crime that is federalized, the greater the potential for an oppressive and burdensome federal police state. As early as the 1930s, FBI Director J. Edgar Hoover warned of the dangers of a "national police force." In fact, Hoover was so fearful of an expansive federal role in law enforcement that he resisted efforts by his allies in Congress to make the FBI independent of the Justice Department and to expand the bureau's jurisdiction over additional crimes. As an alternative to a federal police force, Hoover instead created the National Academy as an adjunct to the FBI's own training facilities, where local law-enforcement officers could be trained and then return to lead their own forces. This greatly enhanced the quality of law enforcement nationwide without creating the federal police force that Hoover so feared.

Modern state authorities share Hoover's fears. Charles Meeks, executive director of the National Sheriffs Association, argues that with every additional federal crime, "we're getting closer to a federal police state. That's what we fought against 200 years ago—this massive federal government involved in the lives of people on the local level." And far from being appreciative of federal prosecutorial support, one of the leading opponents of the federalization of crime is the states' National District Attorneys Association. Not surprisingly, many Americans are beginning to share this fear of the federal government. In a recent poll, a large sample of citizens was asked to respond to the statement,

The List Goes On . . .

With the regularity of a timepiece, Washington responds to widespread concern about crime with election-year legislation. Undaunted by our constitutional separation of powers and other hindrances, Congress keeps adding to the list of federal crimes; the results are often duplicative and ineffective, and occasionally comic.

The 1994 crime bill pushed by President Clinton was a prime example of this election-year syndrome. Here are some highlights:

Blockading an abortion clinic: This law applies to every clinic in America; interstate travel or commerce is not required for the application of federal jurisdiction. Penalty: up to one year in prison for first offense.

Theft of "major artwork": Penalty: up to 10 years.

Theft of firearms and explosives: Obviously, theft is already outlawed in every state. This is another example of the massive federalization of gun laws. Penalty: up to 10 years.

Possession of a handgun by a juvenile: The bill made possession of a handgun by a juvenile a federal crime except where authorized by state law. Penalty: up to one year in prison or probation, depending on the background of the defendant.

Drive-by shootings: Already illegal in every state. It applies to any drug-related shooting "into a group of two or more persons." No interstate circumstances required. Penalty: the death penalty is possible, if the shooting results in death.

Killing a state or local official helping a federal law enforcement official: Already illegal in every state. Penalty: up to the death penalty.

Of course, Congress has a long, proud history of regulating minute aspects of our lives in the name of public safety. These federal laws are all on the books.

Mailing of injurious animals, plants, pests, and illegally taken fish and wildlife: Penalty: up to one year.

Damaging a livestock facility in excess of $10,000: Penalty: up to one year for first offense.

Making false crop reports: Penalty: up to five years.

Issuing a check for less than $1: Penalty: up to six months.

Making false weather reports: Penalty: up to 90 days.

Interstate transport of unlicensed dentures: Yes, it is a federal crime to transport artificial teeth into a state without the approval of a local licensed dentist. Penalty: up to one year.

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"There may be a time in the near future when the government might limit my rights or threaten my beliefs to the point where I would feel the need to disobey the law to protect my constitutional rights." An astonishing 51 percent agreed that this situation was very likely or somewhat likely to occur.

Federal law-enforcement authorities are not as attuned to the priorities and customs of local communities as state and local law enforcement. In the Ruby Ridge tragedy, for example, would the local Idaho authorities have tried to apprehend Weaver in such an aggressive fashion? Would they have spent $10 million on a relatively minor case, as did the federal agencies? More fundamentally, would Idaho officials have even cared about two sawed-off shotguns? In the Waco situation, would the local sheriff's department have stormed the compound, or instead have waited to arrest David Koresh when he ventured into town for supplies, as he did frequently?

We do not mean to question the character or competency of federal agents, the vast majority of whom are honorable and dedicated public servants. But it is important to remember that both of these tragedies resulted in part from the federalization of state gun laws. If the regulation of firearms had remained with the states, where it was customarily handled, these tragedies might never have occurred.

Stephen Saland, a New York State senator with a strong interest in law-enforcement issues, puts the argument succinctly: "Generally, crime is best fought at the local level, with local police who know the community, with local judges who reflect the standards of the community, and with local understanding of which crimes most need the focus and resources of the community."

Even J. Edgar Hoover resisted attempts by Congress to expand the FBI's jurisdiction.

Violates double jeopardy. Another unfortunate consequence of the federalization of crime is the danger it poses to our constitutional protections against double jeopardy. Federalization of penal laws often creates concurrent state and federal jurisdiction over the same offenses. This concurrent jurisdiction grants prosecutors at both the state and federal levels the opportunity to prosecute the same case. Legally, the rules of double jeopardy generally do not apply when both state and federal courts are involved because these courts represent different levels of government. Nevertheless, the spirit of double jeopardy is violated when a defendant can be acquitted in state court and retried on essentially the same facts in federal court, or vice versa.

The best-known recent example of this was the case of the Los Angeles police officers accused of beating Rodney King; they were tried on federal charges after having been acquitted in state court. Reporters from the *American Lawyer*, a generally liberal magazine, concluded that the state-court verdict was not only reasonable but largely justified. Nevertheless, the federal government retried the acquitted officers on federal charges. In the second trial, what juror would not have been affected by the fear of additional riots and violence if they acquitted the officers? Would anyone argue this second trial was fair?

Incurs unnecessary expense. Simply put, it is far more cost-effective to fight crime at the state and local level than at the federal level. Federal judges, prosecutors, and investigators often cost far more than their state and local counterparts. According to some reports, the annual total cost of *each* federal judgeship exceeds $1 million. Even more amazing, if they remain with their judge long enough federal law clerks can earn up to $100,000—more than many states' supreme court justices are paid. Similar disparities exist between federal and state prosecutors and investigators. So if D'Amato's bill (which attempted to federalize all gun crime) had passed, it would have cost the federal government an estimated $8 billion per year—far more than the costs of prosecuting these cases at the state level. (Perhaps the most humorous example of costly federal law enforcement is "McGruff," the Justice Department's cartoon crime dog. After spending $620,000 on the McGruff media campaign in 1993, the Justice Department spent another $300,000 for an extensive study that yielded no evidence that McGruff has reduced crime.)

Undermines state experimentation. One of the worst consequences of the federalization of crime is a tendency toward national standardization and a corresponding reduction in state and local experimentation. States should be allowed to serve as "laboratories of democracy" and experiment with innovative approaches to the prevention and control of crime. Even the Great Centralizer Franklin Roosevelt once noted that when a state experiment fails, at least it has little effect on the rest of the nation. If one state wants to fight crime by building more prisons and another state wants to operate midnight basketball leagues, why not let them? As Abner Mikva, Clinton's former White House counsel has observed, some successful prison reforms originate with local government. Mikva recalled that in the 1960s, California governor Ronald Reagan pro-

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vided county governments funding for each prisoner they handled locally and kept out of the state system. This experiment led to successful alternative programs like work release and halfway houses for those prisoners who could be safely controlled in this manner.

Shifts accountability. With the possible exception of education, crime is the most important issue facing America on the state and local level. It is also the issue over which state and local officials exercise the most control. When federal elected officials promise to "crack down" on crime, they create the false public perception that crime is the responsibility of the federal government. This shifts accountability away from state and local officials who actually apprehend, prosecute, and imprison 95 percent of all criminals. The federalization of criminal law shields from scrutiny the state and local officials who are most responsible for fighting crime and the legislators who draft the laws and appropriate the funds to enforce public safety.

The federal law-enforcement apparatus is quite removed from the individual citizen and from local democratic control. Unlike their federal counterparts, who are appointed by the president, local sheriffs and district attorneys are directly elected by and must answer to local citizens. Similarly, city police are directly responsible to local mayors and city councils. If voters are dissatisfied with their sheriff, district attorney, or local police force, they can vote the appropriate officials out of office. However, the voters do not have this direct option with federal law-enforcement officials.

The Proper Federal Role

If any word describes the proper role of the federal government in law enforcement and criminal prosecution, it is "limited." There are, of course, certain areas of criminal jurisdiction that the federal government *should* be involved in. Two broad areas come to mind. One is crime directed against the sovereignty of the United States, including offenses such as counterfeiting, treason, violations of national security, and assaults on federal officers.

A second area is crime involving a significant interstate or international enterprise. Obviously, these offenses are appropriately subject to federal involvement because they cannot be handled effectively by an individual state. However, a word of caution is needed here. The Supreme Court often views individual crimes as belonging to a "class of activities." Virtually any crime so viewed could be found to have some marginal interstate effect. This category, therefore, must be carefully defined to include only crimes that by their very nature are truly interstate in character. Nationally organized crime syndicates, cross-state drug cartels, transportation of stolen goods or kidnapped victims over state lines, and interstate flight to avoid prosecution are examples of appropriate federal jurisdiction.

Lastly, the federal government properly provides technical assistance on a nationwide scale, serving all law-enforcement agencies at every level of government. This includes a national clearinghouse for information and statistical data as well as a national repository for criminal histories and fingerprints.

States should be allowed to experiment with innovative approaches to the prevention of crime.

By contrast, crimes that are not directed against the national sovereignty, or do not have an interstate or international dimension, are not legitimate concerns of federal authorities, no matter how serious they may be. As Supreme Court Justice Antonin Scalia has said: "Murder is not a federal crime. Murder of the president is. What has happened in recent years is people have come to think if it's a big problem, then it's a federal problem."

While crime is a major problem affecting the entire nation, both constitutional tradition and practical experience demonstrate that it is most effectively fought at the state and local level. Federal law-enforcement officers face an enormous challenge just fulfilling their proper constitutional role to fight interstate and international crime and providing technical assistance to local police on a nationwide basis.

Ultimately, the responsibility for halting the creeping federalization of crime rests with the voters. Although the temptation is great, national politicians must be principled and resist the urge to make ordinary crime a federal issue. It is vital for responsible leaders at both the state and federal level to recognize the dangers and drawbacks of the federalization of crime and to educate the public about the proper roles of the state and federal government in law enforcement. Only then will citizens be able to hold the appropriate officials accountable for public safety. In short, our nation needs statesmen who will stand up and proclaim, "Let's *not* make a federal case out of this!"

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Virtuous Reality

By Jeb Bush & Brian Yablonski

The Founding Fathers of this country understood that the survival of our democracy depends on the good character and virtue of the American people. George Washington declared in his Farewell Address that "virtue or morality is a necessary spring of popular government."

Today our political system is threatened by a cultural decline unprecedented in our nation's history. The growth of crime, the collapse of the family, the failure of education, and the loss of hope for the future are all symptoms of a broader moral crisis. Americans have relinquished responsibility for governing ourselves, expecting government to solve our problems. The betterment of society starts from the bottom up, through virtuous individuals and families and communities, not from the top down through more government.

Over the past 30 years, government has assumed more and more responsibility for the welfare of our children and families. Despite the best of intentions, the governmental response has been more laws, more regulations, and more programs to protect children from the parents and adults who have let them down. Social legislation in this area now includes welfare, no-fault divorce, child protective services, the juvenile justice system, centralized education, and government programs for child support, foster care, and adoption.

Yet the institutions that have evolved from this social legislation have presided over an increasing number of divorces and out-of-wedlock births. They have watched as AFDC benefits have become an attractive alternative to marriage. State regulations have made it more difficult for adoptions to occur. The foster-care system often does more harm to the child than good. Child-support enforcement has been a disaster. Parents have less and less say in the education of their children. On top of all this, the average family now pays 40 percent of its income to government at all levels.

We have abdicated to government our responsibilities in increments not discernible to the naked eye, but so consistently that it has become the greatest threat to our freedom in modern times.

We often forget that the original purpose of democratic government was to *protect the rights of individuals* and to *provide for things which we could not possibly provide for on our own.* Abraham Lincoln said it best when he wrote that the legitimate object of government is "to do for a community of people, whatever they need to have done, but cannot do at all, or cannot do so well for themselves. In all that the people can individually do as well for themselves, government ought not to interfere." As examples of legitimate government functions, Lincoln listed maintenance of roads and bridges, disposal of deceased men's property, and support of the helpless young. Lincoln knew that government is no substitute for a virtuous citizenry that takes

Character-Building In the Information Age

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care of families and communities.

James Q. Wilson, one of the foremost modern scholars on the subject of cultivating virtues, has written that having good character means at least two things: empathy and self-control. Empathy is the ability to take into account the rights, needs, and feelings of others. Self-control is the practice of deferred gratification or being more concerned with the long-term impact of conduct than with the "here and now."

Thus, character is of primary importance in that it determines whether individuals will be selfish or selfless. When we act, do we only take into account our own personal good or do we have in mind the common good and the effects our conduct will have on the welfare of others? Many of our cultural pathologies are a simple reflection of character, of placing the self at the center of one's life. How we ensure a healthy supply of citizens committed to the common good? How do we cultivate virtue and persons of strong character into the next generation?

The moral education of our children has traditionally been left in the hands of parents, extended family, the neighborhood, the school, the church or synagogue, and to some extent other civic associations. But look at the condition of each of these institutions. Our children are a reflection of our ailing social institutions, families, and communities. The indicators show that those character-forming institutions traditionally charged with a youngster's moral development have suffered their own disintegration.

Virtues, Not Values

Some of the difficulty can be traced to an overreliance on government and a willingness to step back from our own character-building responsibilities. But this is only part of the problem—and so only part of the solution. The trouble goes deeper than a simple surrender to government. Unfortunately, these character-building institutions have lost the language of virtue.

Our complex and diverse society now functions not under a universal set of moral principles but rather under competing personal and group value systems. Values—embodied in personal beliefs, opinions, and preferences—have replaced virtues as our moral beacons, and there are many different value systems present in our culture. Our character-building institutions have bought into the idea that we have to recognize any and all value systems. Instead of providing us guidance, they now provide us with the tools to justify a wide variety of deviant behaviors. In other words, they do not teach our children right from wrong, but rather how to make informed choices. As one prison chaplain recently observed, our young children need direction, not choices.

Dorothy Perry, left, has been a surrogate mother to many.

David Levitt, below, found a use for discarded food.

The distinction is critical. Virtues, grounded in universal moral absolutes, represent standards of behavior that are fixed and firm in any civilized society. Who would argue that fortitude, prudence, justice, temperance, discipline, responsibility, honesty, honor, and compassion are not good things? Listen to William Bennett: "Teaching virtue to our children need not be a controversial undertaking. Forming good character in young people does not mean having to instruct them on thorny issues like abortion, creationism, homosexuality, or euthanasia. . . . People of good character are not all going to come down on the same side of difficult political and social issues."

Values, on the other hand, refer to a system of individualized beliefs and preferences. Everyone has values—even Nazis and street gangs. Overemphasizing values accentuates our differences, so that the values of self-expression and individualism now trump the virtues of deferred gratification, responsibility, and commitment to family.

While public policy over the last three decades focused more on recognizing the differences between groups of people and their competing value systems, it did little in the way of reinforcing the common bonds between all peoples—the moral absolutes that transcend politics, race, and gender. Virtues, and the moral imperatives implied by them, were either lost in the debate or they were mischaracterized as values—subjective and relative, personal, and specific to a particular person or group.

Recently, we conducted a simple, highly unscientific experiment designed to see how often we use the word "virtuous" in our popular culture. In Florida's major newspapers, we found only a few random uses of the word "virtuous," frequently out of context. For example, since 1989, the *Orlando Sentinel* has used the word "virtuous" to describe somebody or something on 92

Perry photo courtesy of the Foundation for Florida's Future; Levitt photo by Patty DiRienzo/Silver Image

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occasions, or slightly more than once a month. The *St. Petersburg Times* has used the word 140 times since 1987, or fewer than once a month. In most cases, "virtuous" was merely a term used to describe a character in a movie, theater, or book or, sometimes, a person in an obituary—in other words, nonpeople and dead people. This is certainly not to say that the newspapers are not reporting on the good deeds of virtuous people. We just aren't calling them virtuous anymore.

Quiet Acts of Compassion

Correcting our social pathologies will take time. It will require a renewal of virtue and character and a rejuvenation of those institutions that teach virtue and character. This means we must regain confidence in passing moral judgments, using the language of virtue, and teaching virtue to our children.

Our own state of Florida is blessed by countless heroes the rest of us can learn from.

We must also learn from everyday heroes. Our own state of Florida is blessed by an extraordinary number of men and women of character. It is important that we begin to discuss character in the context of those who exhibit it routinely. We must elevate the people who are redefining our culture for the good, for they are the profiles in character from whom we must learn.

In Florida, you will find some of our greatest profiles in character in the places where you might least expect to find them. Take Delwyn Collins, a kitchen worker in Tampa General Hospital. On most days, you will find Delwyn mopping floors or washing dishes in a corner of the hospital's kitchen. But each year, Delwyn Collins devotes a large portion of his earnings from his $6-per-hour job to support the Angel Tree program, which provides toys for orphans and foster children in the Tampa area.

For years, Delwyn has pulled dozens of paper angels from the hospital's Angel Tree: Each angel bears the name of a orphan or foster child who does not experience a Christmas with family members, or the joys—and toys—that attend the holiday. They become Delwyn's children.

Last year, Delwyn pulled 35 of the paper ornaments from the Angel Tree. Delwyn does not drive a car, so he brings toys to the hospital by pulling them on a flatbed wagon or loading them in his bicycle basket. His quiet acts of compassion caught the attention of many in his community. In 1995, Hillsborough County passed over several local politicians who were nominated to present its Moral Courage of the Year Award to the soft-spoken kitchen worker.

Talk to some of the children who inhabit the Miami home of Dorothy Perry, dubbed "the Mother Teresa of public housing." For 20 years, Perry has been a surrogate mother to children whose parents were strung out on crack or alcohol, or worked three jobs and had no energy left for parenting. Her "Youths Progressing" program offers meals, clothes, and safe haven for more than 35 abused or displaced kids, ranging in ages from one to 21.

"I think this program saved my life," says James Holley, 20. "My mother was having problems with drugs, and the state was talking about taking me from her. I didn't have anywhere to go." James is now working toward his General Equivalency Diploma. Eighteen-year-old Quintin Varnedoe came to live with Perry when she was seven, after her mother died. "My brothers were in gangs, telling me to sell drugs and rob to get money," says Varnedoe, who enlisted in the Marine Corps last fall.

Another of Florida's virtuous citizens can be found sitting at his desk in an eighth-grade classroom at Osceola Middle School, in Seminole. While most children his age are busy playing sports or electronic video games, 14-year old David Levitt has been busy caring for the needy. Two years ago, David figured out that school cafeterias have a lot of leftover lunch food—and he devised a way for local public schools to donate their unused food to the hungry. On his 12th birthday, he made his case before the Pinellas County School Board and won approval for his idea. For months, David fought a Goliath of bureaucratic red tape and government regulations. His slingshot prevailed: Today, more than 80 of the 92 schools in Pinellas County donate their food to the needy.

To change the course of our culture, we do not each have to run out and start a social program or adopt an orphaned child. Rather, we need to do a little in each of our lives to revitalize what Edmund Burke called "the little platoons," the family and those local and civic associations that facilitate good character. Building character starts at kitchen tables and in front yards of neighbors.

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Books

The Value of Victorian Virtues

The De-Moralization of Society: From Victorian Virtues to Modern Values
by Gertrude Himmelfarb
(Knopf)

Maybe it's not so bad being a Victorian moralist after all. True, writes Himmelfarb, the Victorians could be stuffy, self-absorbed moralists. But it is equally true that they acted "on behalf of the poor, whom they sought not only to assist materially but also to elevate morally, spiritually, culturally, intellectually."

The distinction provides a crucial lesson for contemporary welfare reformers. The Victorians are moralists in the sense that they believed in virtues—qualities of character and morality that were desirable for every citizen in a civilized society. Late-20th-century America no longer believes in virtues, Himmelfarb writes, but has substituted for them the notion of values—preferences that are relative and subjective. One result is a welfare system that delivers services to the poor but dares not address their deeper moral or spiritual needs. "We have so completely rejected any kind of moral principle," Himmelfarb writes, "that we have deliberately, systematically divorced poor relief from moral sanctions and incentives."

The discrepancy between Victorian virtues and modern values has produced vastly different outcomes. As it entered the 19th century, England was caught in the teeth of industrialism, capitalism, secularism—features of modernity responsible for the social upheaval America is now experiencing. But the Victorian ethos was grounded in the Christian traditions of Evangelicalism and Methodism, along with their secular counterpart, Utilitarianism. The result? "At the end of the 19th century," she writes, "England was a more civil, more pacific, more humane society than it had been at the beginning." Two social indicators: Between 1845 and 1900, illegitimate births in England *fell* from 7 percent of all births in 1845 to less than 4 percent by 1900, while the rate of serious crime declined by almost 50 percent.

The Economics of Trust

Trust: The Social Virtues & The Creation of Prosperity
by Francis Fukuyama
(The Free Press)

Fukuyama argues that America's greatness comes from a spirit of individual liberty balanced by "a rich network of voluntary associations and community structures to which individuals have subordinated their narrow interests." America in the past was as group-oriented as Japan and Germany, Fukuyama writes, and this trait accounts for the dominance of these countries in the international marketplace. Only societies with a high degree of social trust can create the flexible, large-scale business organizations needed for successful competition in the global economy. The crucial difference between America and the two other nations is that social cooperation here was not enforced through emperors or kaisers. In America, strong community emerged in the absence of a strong state.

America's economic future is now endangered by the rapid depletion of its social capital. Fukuyama argues that the dominance of rights-based liberalism, the rise of violent crime and civil litigation, the collapse of the family, the decline of neighborhoods, churches, unions, and charities, and the breakdown of shared values are destroying Americans' ability to cooperate with each other. It is no accident, he suggests, that those ethnic groups with the highest degree of internal trust are economically the most successful. He cites the importance of Asian-American rotating credit associations that count on family members and business associates to honor their debts.

The author explores "the paradox of family values": While families in America are "too weak to perform their basic task of socialization," in some societies families "are too strong to permit the formation of modern economic organizations." In Chinese, Italian, and French societies, Fukuyama suggests, family members trust each other completely. But intense distrust of outsiders precludes civic or political life outside the family, and nearly all economic organizations are family-based. Most giant corporations are government-run, because unrelated people don't trust each other enough to work together.

Building Blocks

Building a Community of Citizens: Civil Society in the 21st Century
Don E. Eberly, ed.
(University Press of America)

The 23 essays that make up *Building a Community of Citizens: Civil Society in the 21st Century* explore the condition of America's civic life and endeavor to identify the ideas and policies required for social renewal as America moves into the next century. The work seeks to define the unique American "creed" that will inform this renewal: "If Americans are to build a community of citizens," Don Eberly argues, "they will have to do so

Pope John Paul II on Democracy

Democracy cannot be sustained without a shared commitment to certain moral truths about the human person and human community. The basic question before a democratic society is: "How ought we live together?" In seeking an answer to this question, can society exclude moral truth and moral reasoning? Can the Biblical wisdom that played such a formative part in the very founding of your country be excluded from the debate? Would not doing so mean that America's founding documents no longer have any defining content, but are only the formal dressing of changing opinion? Would not doing so mean that tens of millions of Americans could no longer offer the contribution of their deepest convictions to the formation of public policy?

Every generation of Americans needs to know that freedom consists not in doing what we like, but in having the right to do what we ought.

—Baltimore, Md., Oct. 8, 1995

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within, not outside of, the American philosophical tradition." Many of the contributors see that tradition in the ideas of the American founding, including justice and limited government as well as equal opportunity and responsible freedom.

These ideas remain, as Heather Higgins puts it, the "cultural building blocks" of America's future. Edward Schwartz (among others) would include Tocqueville's concept of civil society and mediating institutions. In the political sphere, "governmentalism" must be replaced by active citizenship and revitalized political institutions. The political party, according to Colleen Sheehan, was supposed to be "the most encompassing and decisive expression of our common republican opinion and civic character." In the cultural sphere, relativism must be replaced by strong families, personal morality, and religious faith. Unless America "respects and protects" the relationship between religion and public life, writes Os Guinness, "both American religious liberty and public discourse will he handicapped."

Small is Beautiful

Loving Your Neighbor: A Principled Guide to Personal Charity
Marvin Olasky, ed.
(Capital Research Center)

Culled from *Philanthropy, Culture and Society*, the 12 practical essays in this book illustrate the virtues and pitfalls of personal charity. The book's premise is that government welfare and the "upstairs" philanthropy of wealthy foundations fail because they aim to meet only the physical needs of the poor. Through factual reporting, the writers show small-scale, "downstairs" charities that do more good by urging the needy to change their conduct and attitudes. As the title implies, the book also emphasizes the centrality of religion in transforming lives.

But even small, religious charities can forget some of the "basics of successful philanthropy: think small, and think of souls rather than bodies." Some charities err in relying on one charismatic leader; others imperil their religious character by accepting government or foundation funding with strings attached.

The writers draw key lessons from successful programs as well as from those that have gone awry. Gerry Wisz investigates one New York soup kitchen's evolution from merely offering meals to the homeless to encouraging personal responsibility. Frederica Mathewes-Green shows how volunteer-run pregnancy care centers in Maryland enable low-income women to bring their babies to term by offering them shelter, clothing, and comfort. Marvin Olasky examines a Texas charity that sacrificed its success by purging its spiritual qualities to secure government funding. Dan McMurry recounts how competition for grants among charities in Murfreesboro, Tennessee, led them to create a pauper class to justify their existence. Olasky concludes that "poverty-fighters should commit themselves to helping only those . . . who are willing to work hard and change their life-styles."
Capital Research Center—tel: 202-393-2600, fax: 202-393-2626.

Articles & Papers

A Second Look at Habitat

"It's Time to Take Habitat for Humanity Seriously"
by Howard Husock
City Journal, Summer 1995

Conservatives treat Habitat for Humanity lightly, writes Husock, because of its affiliation with former president Jimmy Carter. But Habitat is fast becoming the biggest homebuilder in America and offers a program that draws on conservative ideals. The organization builds modest new houses in the belief that low-income families will maintain orderly neighborhoods if they own their own homes. To qualify, a low-income applicant must meet rigorous standards of responsibility. A prospective owner must participate in the construction of his home. Habitat then offers the owner an interest-free mortgage. The owner must also help build someone else's home, and his house is repossessed if he defaults on the payments.

The result, in many cases: Safe, clean neighborhoods and low-income homeowners with pride and a stake in an orderly and prosperous community. All of the money used in Habitat's construction projects comes from private sources.
Manhattan Institute—tel: 212-599-7000, fax: 212-599-3494.

Foundation Fossils

"Philanthropical Correctness"
by David Samuels
The New Republic, Sept. 18 & 25, 1995

Although their assets have tripled in the last 25 years, Samuels contends that America's philanthropic foundations have become irrelevant to public policy. The foundations that once funded the discovery of the polio vaccine and the expansion of our public library system cannot boast such lofty achievements today.

Samuels cites four reasons. First, rather than fund programs that offer practical solutions to failures in education, welfare, and crimefighting, these foundations fund multicultural programs designed to promote "diversity" and "tolerance."

Second, these foundations give more money to liberal advocacy groups like the Children's Defense Fund than they give to university research.

Third, foundations no longer subject grantees to independent scholarly review but rely on foundation bureaucrats with little policy expertise.

Finally, these foundations suffer from inbreeding and parochialism. Nearly 40 percent of foundation CEOs are hired from within the nonprofit sector, 30 percent from within their own foundations. The result: chronic myopia. Obsessed with multicultural concerns and hamstrung by stale thinking, our leading foundations pay little attention to our society's most pressing issues.
The New Republic—tel: 202-331-7494, Web site: www.enews.com/magazines/tnr/, e-mail: tnr@aol.com.

Wilsonian Liberals

"Liberalism's Lost Tradition"
by Fred Siegel & Will Marshall
The New Democrat, Sept./Oct. 1995

Writing in the Democratic Leadership Council's house magazine, Fred Siegel and Will Marshall assure Democrats fearful of obsolescence that one tradition within liberalism might accord with America's repudiation of New Deal statism. Woodrow Wilson's "New Freedom" liberalism took aim at the concentration of power in turn-of-the-century corporate America by curbing trusts. Siegel and Marshall suggest that today's Democrats should direct this ideological animus toward our cen-

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tralized federal government.

During the 1912 presidential contest between Wilson and Theodore Roosevelt, they note, Roosevelt was supported by both corporate moguls and social workers. These odd bedfellows were united in a "common condescension" for the common man. Wilson criticized paternalism, argued against social planning by either corporate monopolies or by a large, interventionist federal government, and championed individual and economic liberty. Siegel and Marshall urge today's Democrats to tap into this lost "anti-statist but radically democratic" tradition by breaking the federal government's monopoly over public decisionmaking and resources.

Democratic Leadership Council—tel: 202-546-0007, fax: 202-544-5002.

Drafted Volunteers

"Charity Begins at School"
by Chester E. Finn Jr. & Gregg Vanourek
Commentary, Oct. 1995

Government by the people or people by the government? Hudson Institute Scholars Finn and Vanourek assess mandatory community service in our schools. Finn and Vanourek oppose "compulsory-service learning" because it confuses political action with community service and hence promotes projects with an ideological cast. In Cecil County, Maryland, students earned credit for lobbying the county government to maintain its recycling program. Furthermore, mandated volunteer service is itself an oxymoron that obscures the virtue of true voluntarism. And who's to say which student projects meet service requirements? In Bethlehem, Pennsylvania, a high-school student was denied her diploma because the time she spent volunteering in a nursing home and for Meals on Wheels was not *school-directed* service. Finally, the authors claim that mandatory service threatens church-based and private-sector volunteer work. In the near-term, mandatory service monopolizes the time children might otherwise devote to private-sector charity, and it discourages private-sector voluntarism in the long-run by teaching children that voluntarism is no more fulfilling than writing lab reports and meeting paper deadlines.

Commentary—tel: 212-751-4400, fax: 212-751-1174.

Vo-Tech Strikes Out

"The President's Apprentices"
by Jonathan Marshall
Reason, March 1995

Faced with declining wages for high-school graduates, the Clinton administration has embraced school-to-work programs. But Marshall argues that students put through the paces of vocational training are no better off in the long-term than students who go the strictly academic route. A recent National Assessment of Vocational Education study reports that graduates of vocational education in California are employed at the same rates and earn about as much as general track graduates. In fact, according to a Labor Department report released last year, many male graduates of vocational education actually earn less than those

Good Samaritan Awards

The Acton Institute for the Study of Religion and Liberty is a nonprofit educational institute that explores the moral dimensions of a free society. Last year the institute established its Good Samaritan Awards to honor and encourage the moral and practical advantages of private charity. From nearly 700 applicants, Acton recently honored 10 leading models of effective private charity, both secular and religiously based. Each winner received a $1,000 grant; three finalists will soon be chosen by a national panel of judges and awarded cash grants of $10,000 each. The 10 model programs for 1995 are:

Caring Program for Children (The Ohio Caring Foundation, in Cincinnati)—Provides "basic health-care benefits to Ohio's uninsured children."

Disabled Businesspersons Association (San Diego)—Helps entrepreneurs and professionals with disabilities get ahead in business and encourages the participation of the disabled in the work force.

Haven Drug Rehabilitation Program (Gospel Mission of Washington, Washington, D.C.)—Helps men overcome addiction and achieve self-sufficiency through education and acquisition of job skills. Provides family counseling.

LifeChange Program (Union Gospel Mission, in Portland, Oregon)—Offers homeless, drug- and alcohol-addicted men and women housing, counseling, vocational training, and employment opportunities. In return, residents work eight-hour days, attend school, and maintain sobriety.

Mother and Unborn Baby Care (Southfield, Michigan)—Provides material assistance and counseling to mothers during and after pregnancy.

Potter's House School (Grand Rapids, Michigan)—A Christian private school that allows low-income parents to pay for their children's education on a sliding scale according to ability to pay and requires them to volunteer at the school.

Residential Program for Parolees (Cephas-Attica, Inc., in Rochester, New York)—Counsels prisoners, teaches job skills, and provides training in the work ethic to parolees through the program's construction company.

RESOURCES (Catholic Migration Office, in Brooklyn, New York)—Provides immigrants with "the professional and language skills necessary for entering the American workplace." Offers employment, managerial, and entrepreneurial opportunities through its cleaning business and computer graphics company.

Sharing & Caring Hands, Inc. (Minneapolis)—A "safety net organization," it supplies poor people with clothing, shelter, transportation, and medical care.

STEP 13 (Denver)—Gives homeless men who abuse drugs or alcohol "a safe place to stay" and employment and educational opportunities "so they can take responsibility for their lives." Some are employed in Step 13's recycling firm.

For more information, contact: The Acton Institute, 161 Ottawa Ave. N.W., The Waters Bldg., Suite 301, Grand Rapids, MI 49503. Tel: 616-454-3080, Fax: 616-545-9454. Web site: http://www.acton.org/acton.html. E-mail: info@acton.org

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who have graduated from traditional high school programs. The central difficulty seems to be that graduates of vocational education often do not obtain jobs that match their training. In Germany, where most trained bakers work for Ford Motor Company, only half of German apprenticeship graduates work in the fields in which they were trained. Consequently, some studies show that students might do better to delay career choices until they gain more work experience and until they can better direct their career training. The bottom line: Inefficient, vocational education provides no quick fix to the falling wages of low-income Americans.
Reason Foundation—tel: 310-391-2245, fax: 310-391-4395.

Land of Opportunity

"Why Koreans Succeed"
by Heather Mac Donald
City Journal, Spring 1995

Mac Donald assures us that the American dream is alive and epitomized by Korean-American grocers in New York. Their success, she argues, is fueled by the same factors that have enabled other immigrant groups to succeed: hard work, an emphasis on education, and strong community ties. Some of these factors manifest themselves in distinctly Korean ways. Korean communities form *gaes*, or communal savings pools, to provide interest-free loans to budding businessmen. And many Korean children boost their academic achievement by attending a *hagwon* or "prep school" after school and on weekends.

But Mac Donald warns that America has grown economically and culturally hostile towards Korean entrepreneurship. New York City requires grocers to pay 14 different taxes and obtain numerous licenses; Koreans also endure race-based boycotts and racial crimes. Consequently, Korean immigration has slowed to a trickle and some are returning home. Urban America will suffer if Korean entrepreneurship is stifled. By introducing stable and successful businesses to low-income neighborhoods in New York and Los Angeles, Koreans have spearheaded urban renewal. Many Koreans are still committed to building successful businesses here. Will we let them?
Manhattan Institute—tel: 212-599-7000, fax: 212-599-3494.

Sen. Bill Bradley on Civil Society

What both Democrats and Republicans fail to see is that the government and the market are not enough to make a civilization. There must also be a healthy, robust civic sector—a space in which the bonds of community can flourish. Government and the market are similar to two legs on a three-legged stool. Without the third leg of civil society, the stool is not stable and cannot provide support for a vital America. . . .

We also have to give the distinctive moral language of civil society a more permanent place in our public conversation. The language of the marketplace says, "Get as much as you can for yourself." The language of government says, "Legislate for others what is good for them." But the language of community, family and citizenship at its core is about receiving undeserved gifts. What this nation needs to promote is the spirit of giving something freely, without measuring it out precisely or demanding something in return.

—speech, National Press Club, Feb. 9, 1995

Hired Off the Streets

"From Underclass to Working Class"
by James L. Payne
The American Enterprise, Sept./Oct. 1995

The Dallas branch of the Industrial Labor Service Corp. (ILS) proves that the invisible hand can be a helping hand. ILS, Payne reports, is the largest employer of temporary laborers in Dallas. It hires from among Dallas's down-and-out. ILS pays these workers $4.70 an hour but charges companies $7.50 an hour for their services. ILS uses the difference to provide its workers with lodging, breakfast and lunch, transportation, and tools, and it makes a profit of 17 cents an hour per worker.

Unlike most private charities touted by conservatives, ILS is primarily profit-driven. It does not demand its "clients" change personal habits and attitudes as many faith-based charities do. But, Payne reports, laborers find ILS benevolent (it provides lunch out of generosity, not a desire to raise productivity). And they also learn the lesson of exchange—you have to give something to receive something—that many charities try to instill by demanding behavioral or spiritual change in exchange for material aid. Payne warns that "working halls" like ILS are threatened by the news media and the government, which accuse them of exploitation.
American Enterprise Institute—tel: 202-862-5800, fax: 202-862-7178, E-mail: 75272.1226@compuserve.com.

Black Christian Schools

"The New Exodus"
by Joe Maxwell
World, April 15, 1995

In 1954, *Brown v. Board of Education* paved the way for the integration of public schools. Many black families abandoned Christian schools in favor of integrated public education. Forty years later, Maxwell reports, blacks are returning.

Nearly 10 percent of African-American children from kindergarten to fifth grade attend private schools, up from 3.8 percent in 1968. Maxwell argues that black parents appreciate the discipline and the unambiguous moral education their children receive at these schools. They are happy that their children are required to wear uniforms, that the school environment they send their children to is drug-, gang-, and violence-free, and that prayer is an essential component of their children's school day.

The revival of black Christian academies is hardly the result of separatist sentiment. Their main agenda is providing excellent Christian education.

The rise of such schools is an indictment of poor public education. In the words of one supporter, "How many more generations of black children's education are we going to allow to be destroyed . . . by an incompetent, costly, self-serving government education establishment?"
World—tel: 704-253-8063.

Mormon Charity

"Work, Not Welfare in the Mormon Church"
by Ralph Hardy
The American Enterprise, Sept./Oct. 1995

Sixty years ago, at the dawn of the welfare state and its "culture of dependence," the Mormon Church built its

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own welfare program on the principle of individual responsibility. At the center of this system lies the "bishops' storehouse." Akin to a discount retailer like Price Club, it warehouses foodstuffs and other essentials. At times throughout the year, Mormons volunteer their labor on farms that supply the storehouse. Mormons also fast on the first Sunday of every month, and the money that would have been spent on skipped meals is used to purchase items for the storehouse. When a Mormon bishop determines that a truly needy individual or family has no other means of support, such as relatives in another state, he may offer food and supplies from the church's storehouse. In exchange, recipients are usually required to perform some service for the church community and to search for employment, with the church's help. Hardy argues that his church's system is one antidote to the maladies of our current welfare system. *American Enterprise Institute—tel: 202-862-5800, fax: 202-862-7178, e-mail: 75272.1226@compuserve.com.*

Future Businessmen

"New Kids on the Block:
The National Foundation for
Teaching Entrepreneurship"
by Martin Morse Wooster
Philosophy, Culture and Society, June 1995

After being mugged on a Bronx street in 1981, businessman Steve Mariotti wondered why bright inner-city kids would risk their futures for the paltry $10 they stole from him. Mariotti wanted to help at-risk children learn how to calculate risk and reward for legitimate ends. Because schools often do not give students the practical skills and work habits that lead to success in business, Mariotti established the National Foundation for Teaching Entrepreneurship (NFTE) in 1986.

Today, NFTE operates in nine urban centers, including New York City, Boston, and Philadelphia. Its budget has grown from $600,000 in 1991 to $5.5 million today, thanks to charitable contributions from foundations and other sources. And what does this money buy? Student entrepreneurs are given business cards, a $10 bank account, $50 for start-up costs, and the opportunity to read the *Wall Street Journal* once a week. With this start, students build their own small businesses and learn about profit, loss, finance, marketing, negotiation, and customer service. Greg Blair sells trading cards. Regina Jackson markets the jewelry she makes. Low-income minority students are the target of this program. In Washington, D.C., nearly all of the approximately 250 students who participate in NFTE are low-income African Americans. Consequently, the textbooks used in NFTE classes, one of which is co-authored by Mariotti, profile the entrepreneurial successes of formerly disadvantaged minorities.

Wooster's reporting is choc-full of heart-warming anecdotes garnered from his visits to NFTE programs in D.C. schools. He concludes that NFTE fills a valuable niche: It is the one program that actually shows inner-city youth a path to success different from one littered with violence and despair. *Capital Research Center—tel: 202-393-2600, fax: 202-393-2626.*

Welfare as We Will Know It

"Ending the Welfare State, Pts. I and II"
Alternatives in Philanthropy, April & May 1995

In this two-part series, 14 leading conservatives propose alternatives to the welfare state. David Forte wants to bolster private charities by offering taxpayers a 110 percent tax deduction for charitable contributions. William Tucker thinks that for every hour a person spends doing volunteer work, he or she should be rewarded with a tax credit equal to his or her regular earned income per hour.

Charles D. Hobbs suggests making working more profitable than welfare by subsidizing private-sector employment for welfare recipients. George Liebmann argues that we should model day care in the U.S. after the British, who rely heavily on parent-organized and volunteer-run cooperative playgroups. Michael Tanner urges that adoption be eased by lifting restrictions on transracial adoption, terminating the custodial rights of biological parents whose children have been in foster care for a year, and by ending funding formulas that encourage states to keep as many children as possible in the foster care system.

Michael Novak argues that teen moms should be blocked from setting up independent households, while Elizabeth Fox-Genovese advocates plac-

Recent Stories in Policy Review

Fall 1995

William D. Eggers & John O'Leary on community-policing techniques that deter crime • **John J. DiIulio Jr.** on the real causes of falling rates of violent-crime • **Kenneth F. Boehm & Peter T. Flaherty** on alternative means of meeting the legal needs of the poor after the abolition of the Legal Services Corp. • **Amy L. Sherman** on Michigan's welfare reform and its threat to the effectiveness of faith-based charities that receive government funding.

Summer 1995

Sam Beard on Social Security reform that would enable minimum-wage earners to become millionaires by retirement • **Conna Craig** on combating the bureaucratic obstacles that prevent foster-care children from finding adoptive homes • **Stephen Glass** on a privatized school-lunch program in Rhode Island that feeds children more nutritious food at less cost • **Charlene K. Haar** on why parents can't count on their PTA to support school reform • **Tucker Carlson** on private cops.

Spring 1995

Charles Condon on his program to reduce births of crack-addicted babies in South Carolina, now thwarted by the Clinton administration • **George Allen** on Virginia's bold crime-fighting strategies, which include abolishing parole • **Stephen Glass** on the DeVry Institute of Technology, a profit-making technical college that succeeds where government job-training programs fail.

Winter 1995

A **symposium of welfare experts** on how private charities, adoption agencies, and churches will replace the government in helping our most disadvantaged children • **Charles Augustus Ballard** on bringing fathers home to their children.

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ing them and their children in maternity homes. The proposals assume that, absent welfare, the private-sector holds the answers to our social problems.
Capital Research Center—tel: 202-393-2600, fax: 202-393-2626.

News & Events

Alumni Activists

Citizens concerned about the recent intellectual and moral shortcomings of academe will want to know about the National Alumni Forum, founded last year by a group of scholars, editors, businessmen, and policymakers led by chairman Lynne Cheney. The group enlists university alumni to defend academic freedom on college campuses. The group hopes to spur concerned alumni to exert more influence over university policies; it publishes information via a newsletter, an electronic network, and research reports. It also helps alumni oppose speech codes and highlights programs at various universities that are worthy of alumni support.
National Alumni Forum—tel: 202-467-6787, fax: 202-467-6784, e-mail: 76544.1367@compuserve.com, Web site: http://wdcnet.com/national_alumni_forum/nafhome.html

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Carrying the Torch

The Atlanta Committee for the Olympic Games recently sponsored a nationwide search for "community heroes" to carry the torch in this summer's Torch Relay. About 5,500 honorees will carry the torch. A hero, as defined by the sponsors, is "a person who through his/her selfless acts or achievements has positively influenced their community, functioning as a role model for others." Winners will be announced in February.

Move Over, Roger Ebert

The U.S. Catholic Conference now offers a toll-free movie-review service that rates films by moral content and artistic merit. Brief reviews accompany ratings, which range from "A-1" (general audiences) to "O" (morally objectionable). It lauds Martin Scorsese for his direction in *Casino* but rates the movie "O" for its "graphic violence, fleeting nudity, substance abuse, and incessant rough language."
U.S. Catholic Conference—tel: 1-800-311-4CCC.

Movieguide Hotline promises reviews "from a Biblical perspective." Operated by the nondenominational Christian nonprofit Good News Communications, it rates movies for quality and moral acceptability. While *Seven* receives three of four possible stars for artistic merit, it is deemed morally unacceptable for its "virulent religious bigotry." Movieguide does differ from its Catholic counterpart; you are charged $1.49 per-minute.
Movieguide Hotline—tel: 1-900-234-2344.

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What's New at Heritage

Salvatori Prize

Beginning in 1996, The Heritage Foundation will give an annual Salvatori Prize for American Citizenship.

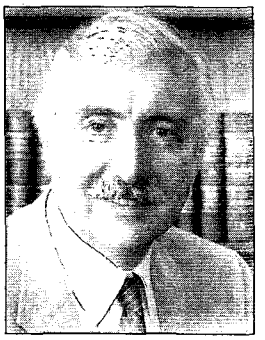
Endowed by a generous gift from the Henry Salvatori Foundation of Los Angeles, the Salvatori Prize for American Citizenship will recognize and reward extraordinary efforts by American citizens who help their communities solve problems the government has been unable or unwilling to solve. In the words of Heritage President Edwin Feulner Jr., "The conservative revolution has two parts. Everyone understands that part one is to reduce the size and power of the federal government. Part two is to return responsibility to American citizens to solve local problems. We need to get government out of the way if this is to happen, but we also need to show people how to solve their own problems."

The Salvatori Prize, Feulner said, is intended to do just that. "We will highlight the success stories, and encourage more successes, while promoting the kind of American citizenship envisioned by our Founding Fathers." The winner of the annual Salvatori Prize will receive a $25,000 cash award.

Reforms to Speed Adoption

"This nation's $10-billion-per-year foster-care system keeps thousands of children from being united with loving parents," writes FitzGerald Senior Fellow Patrick Fagan, a former family therapist and clinical psychologist. "The anti-adoption bias of the current public-sector welfare bureaucracy has resulted in an adoption process with too many built-in obstacles. These obstacles feed children into the foster-care system and keep them there, ensuring a larger clientele for public agencies, at a staggering emotional cost," he says. "The quickest, simplest solution is for states, which have primary responsibility for regulating adoption, to place the job of finding suitable parents in the hands of private adoption services."

Only 1 percent of women choose adoption as a solution to their unwanted pregnancies. "Some 40 percent of pregnancy counselors don't even raise the issue of adoption with pregnant clients; another 40 percent provide incomplete or inaccurate information about adoption," Fagan says. Yet when adoption is mentioned, 38 percent choose it over alternatives like abortion.



FitzGerald Senior Fellow Patrick Fagan

Race is another barrier in the adoption system, Fagan says. A higher proportion of black than white children are available to adopt, and many white parents would like to adopt black children. Yet the welfare bureaucracy is dedicated to a policy of "race matching," which delays adoption for years. As a result, says Fagan, "black children typically wait two to three years longer than white children for adoptive homes."

To fix these and other problems, Fagan suggests a number of reforms. Besides privatizing all adoption services, he urges states to:

- Remove obstacles to transracial adoptions.
- Enact a strict, 12-month timeline for working out the long-term parental status of any child in foster care.
- Separate the responsibility for protecting children from convicted abusive parents from that of preserving parental rights for families that can be helped. "Professionals should not be trapped between simultaneous demands to reunite every family and to protect every child," Fagan says. "When these duties are separated, both goals are better served."
- Prohibit the removal of a child from foster parents willing to adopt, except when the child is being returned to its legal parents.

Fagan says Congress should:

- Enact a means-tested, fully refundable, inflation-adjusted tax credit of up to $5,000 to help pay the substantial one-time costs incurred by adopting parents.
- Require hospitals and clinics receiving federal aid to provide timely and accurate adoption information to all mothers who give birth out of wedlock.
- Prohibit the use of race or ethnicity to deny or delay placement of a child in foster care or adoption.

"Trillion-Dollar Tax Hike"

The tax burden will rise by more than a trillion dollars over the next five years without Medicare reform, write Heritage analysts Robert Moffit, John Liu, and David Winston.

"The Congressional Budget Office already projects that during the next five years, Medicare Part B, which covers doctors' fees and other services, will need an estimated $370.5 billion in general taxes," they write in a recent report.

On top of that, if Congress resorts to an increase in the payroll tax to save Medicare Part A, the hospitalization program trust fund, this will require an estimated 3.5 percent hike on top of the current level of 2.9 percent, or $711 billion in new revenue over the next five years. "Right now, when you look at the combined level of taxation needed to save Medicare, the amount is almost triple President Clinton's 1993 tax hike, which ranks as the largest in U.S. history."

Heritage on the Web

After just six months on the Internet, The Heritage Foundation's site on the World Wide Web (http://www.heritage.org) has registered more than 200,000 hits. The Heritage site is updated daily and features an extensive library of policy papers, lectures, press releases, and current and back issues of *Policy Review*. Heritage's public policy research will soon be available on the Microsoft Network's Policy Street.

The Heritage Foundation is one of 14 organizations on Town Hall (http://www.townhall.com), a conservative Internet community. Both The Heritage Foundation and Town Hall were rated among the top 5 percent of all sites on the Internet. To get free Internet access software from Town Hall, call 1-800-441-4142.

Photo by Chas. Geer

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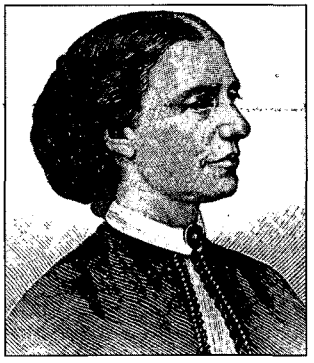
Clara's Heart

Clara Barton struggled with bureaucratic insensitivity all her life. Her biggest problem was getting official permission to do good.

Born Christmas Day, 1821, Barton showed a talent for organizing charity when she established the first free public school in Bordentown, New Jersey. After enrollments soared, the local school board pushed her aside.

When the Civil War erupted, she felt driven to help. After learning that soldiers from her home state of Massachusetts were quartered in the U.S. Senate chambers without beds or supplies, she brought items from her home and, with her own money, purchased and prepared food for them.



Clara Barton, founder of the American Red Cross.

Barton discovered that ambulances, medical supplies, and hospital construction were not high priorities for the Union military bureaucracy. Henry Halleck, the Army's general-in-chief, dismissed them as "effeminating comforts." (He felt the same about shoes and shirts.) Union soldiers commonly died on the battlefield waiting for treatment, yet the Medical Department, valuing bureaucratic ritual over need, refused to change policy. Frustrated, Barton collected supplies and personally arranged their distribution.

Barton eventually accumulated three warehousefuls of supplies and persuaded the Army to help distribute them at the front. At great personal risk—a bullet ripped through her sleeve at Antietam and killed the injured soldier she was aiding—Barton fed troops and helped evacuate the wounded. Nearly two years into the war, the Army finally agreed to contribute supplies to her volunteer efforts. She devised a plan for each state to establish a distribution agency where it had a substantial regimental presence.

Barton encountered bureaucratic resistance everywhere. When the War Department ignored a sergeant's requests for a furlough—despite the fact that both of his arms had been blown off in battle—an outraged Barton escorted him to the office of Massachusetts senator Henry Wilson. She then explained that his furlough request was being disregarded and handed the senator the necessary paperwork. When Wilson extended his welcome, Barton commented, "You will pardon the sergeant for not offering you a hand—he has none." The soldier left on furlough the following day.

Exhausted by such struggles, Barton sought rest in Europe. In 1870, the Grand Duchess of Baden enlisted her help with the International Red Cross's relief effort for civilian refugees and wounded soldiers in the Franco-Prussian War. Admiring the systematic organization and efficiency of the institution, Barton undertook a one-woman effort to found an American chapter of the Red Cross. She sought congressional approval for the organization's involvement in wartime humanitarian aid, but was initially thwarted by fears of foreign entanglements.

To make the organization more attractive to an isolationist Congress, Barton expanded its proposed focus to include domestic peacetime disaster relief, an expansion later adopted by the International Red Cross under the "American Amendment." Finally, in 1881, Barton founded the American Association of the Red Cross in Washington, D.C. She was elected its first president.

Barton kept the American Red Cross decentralized, giving hands-on authority to local chapters. Journalist Joel Chandler Harris (of *Uncle Remus* fame) praised the charity's efficiency: "There are no exhibitions of self-importance. . . . The perfection of its machinery is shown by the apparent absence of machinery."

Nevertheless, in 1904, at 81, Barton was maneuvered out of the presidency by socialite Mabel Thorp Boardman, who wanted to transform the Red Cross into a more centralized administrative structure based on new theories of "scientific management." After leading a failed coup against Barton, she vengefully instigated a congressional investigation into the organization. Once the investigation vindicated her, Barton resigned.

For her life's work, Barton received the German Iron Cross, the Red Cross of Geneva, and the Empress Augusta medal, among other honors. "They do brighten up an old dress," she joked. She spent her last years caring for relatives, occasionally pinning her medals on her dress before going out to milk the cows. She died at 91, in Glen Echo, Maryland.

Today, Barton's organization remains volunteer-oriented and decentralized; its ratio of volunteers to paid workers is about 50:1. In addition to collecting 6 million units of blood (nearly half the nation's entire clinical blood supply) each year, the Red Cross provides aid after natural disasters, processes emergency communications between military personnel and their families, and offers first aid and medical training.

Barton learned early on that charities attract two kinds of people: those concerned with doing good and those concerned with looking good. The former want to help; the latter are primarily interested in social engineering and self-aggrandizement. Her persistence and character ultimately triumphed over bureaucratic interference, making the Red Cross an effective force for good—and one worthy of the memory of Clara Barton.

by Laura Morrow

Laura Morrow, a 1993 Salvatori Fellow of The Heritage Foundation, is a professor of English at Louisiana State University at Shreveport.

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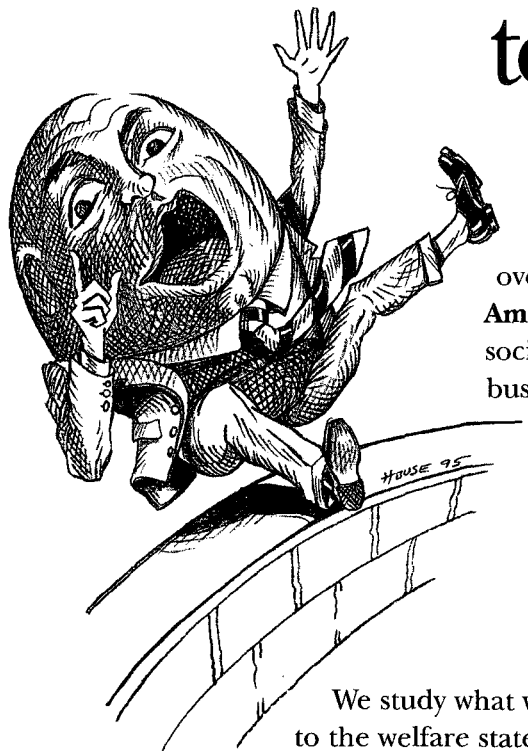
All the Government's horses and all the Government's men couldn't put America together again.



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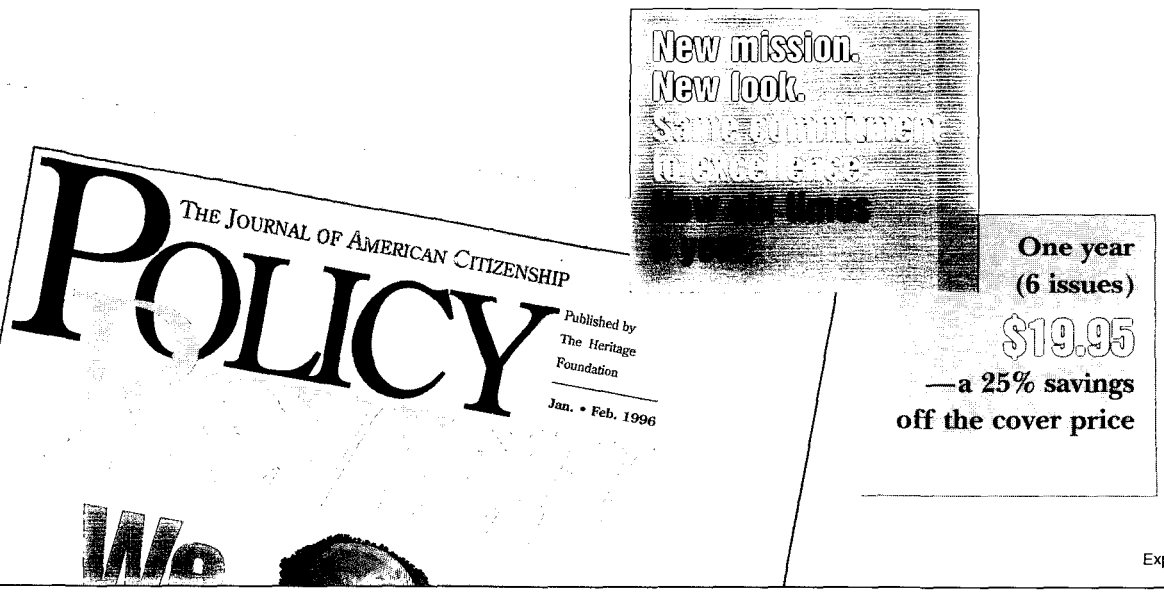

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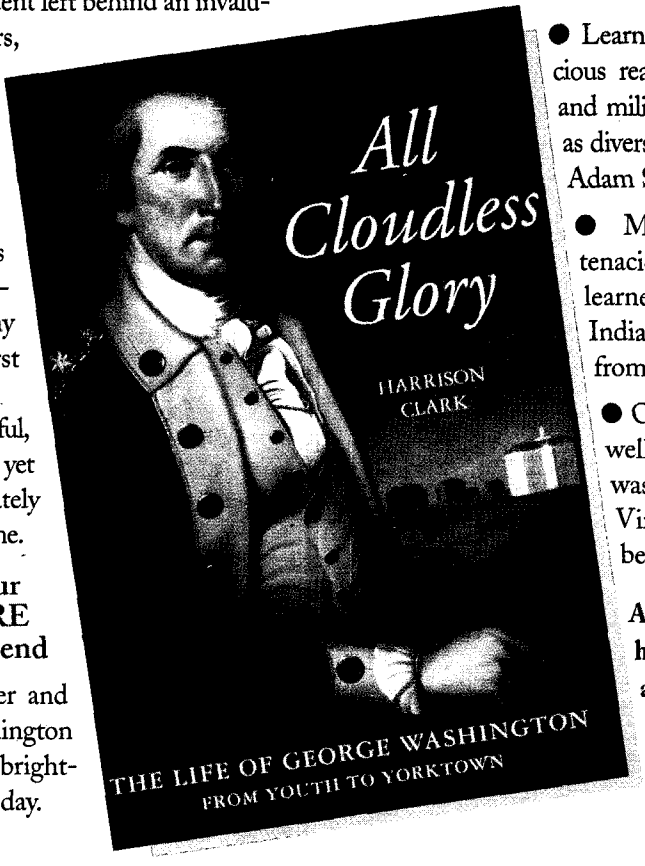

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